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**Surrendered Karuna's cadres (above)
New Prime Minister Mahinda Rajapakse
and people from LTTE controlled areas gathering
at Muhamali to vote (below)**

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"I do not agree with a word of what you say, but I'll defend to the death your right to say it."
-Voltaire

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Email: admin@tamiltimes.org
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A complicating outcome

The recent period of political turbulence in Sri Lanka was triggered off by President Chandrika Kumaratunga's sudden move in early November 2003 to dismiss three important ministers and take control of the subjects under them. The premature dissolution of parliament which followed signalled that the experiment in political cohabitation between President Chandrika Kumaratunga and Prime Minister Ranil Wickremasinghe was to be brought to an. The outcome of the recently held parliamentary election has confirmed the end of that fraught experience in political cohabitation, but it has not produced the result she desired.

It is true that the United National Party (UNP) and its coalition allies led by the ousted Prime Minister Ranil Wickremasinghe suffered a severe defeat securing only 37 percent of the popular vote. Although it secured 45 percent of the popular vote, the United Peoples Freedom Alliance (UPFA) which has formed the new government, has only an arithmetical edge, but without a clear majority in parliament capable of offering a stable government that will have the capacity to take the required bold steps in the political and economic front.

In spite of the UPFA's victory, the start for the new government could not have been worse with well publicised and acrimonious divisions between the Alliance partners breaking out into the open over the allocation of cabinet portfolios. The Jantha Vimukthi Peramuna (JVP), which is a significant component of the UPFA, has revealed itself to be not only a hard bargainer for its own interests, but also a difficult and troublesome political partner bent on asserting its newly achieved power with 37 seats in parliament.

In retrospect, President Kumaratunga may well feel that it would have been much easier to work in cohabitation with the UNP led by Ranil Wickemasinghe than in coalition with the JVP. She also must realise by now that her alliance with the JVP has politically strengthened the JVP from being a minor player in parliamentary terms into a major national force capable of confronting her with further problems in the future.

The Sri Lanka Muslim Congress (SLMC) and the Ceylon Workers Congress (CWC) have in recent years been ready to become partners in government, whether under the UNP or the Peoples Alliance, thereby fill the shortfall by providing the necessary majority in parliament. But this time round the remarkable reluctance on the part of these parties to throw in their lot with the UPFA is entirely due to its alliance with the JVP and the policies it pursues.

The other significant outcome of this election is that the Tamil National Alliance (TNA) as an undisguised proxy of the LTTE has virtually swept to victory in the Northeast bagging 22 seats. There is no doubt that the TNA MPs will act on the basis of decisions taken and directions given by the LTTE leadership which will no doubt claim that the Tamil people have given them a mandate to seek and secure the Interim Self Governing Authority (ISGA) for the Northeast. In a statement issued after the election the LTTE said that the Tamil people have delivered a clear message that the "concept of the Tamil Homeland, Tamil Nationalism and the right for Tamil self rule should be accepted as the basic aspirations of the Tamil people and that the Tamil national problem should be politically resolved on that basis, failing which the Tamil people will fight to establish the Tamil sovereignty in their homeland on the principle of self determination. Through this mandate the Tamil people have acknowledged the leadership of the Liberation Tigers as that of the Tamil national leadership. The Liberation Tigers have thus been declared as the accredited and understandably sole representatives of the Tamil people, a deep resonant national message to the world."

The stated positions on the ethnic issue of the JVP and JHU which has 9 seats in parliament stand in sharp contrast to the LTTE's position. These parties are opposed to Norwegian facilitation and any move in the direction of devolution of power let alone the LTTE's proposal for an ISGA for the Northeast.

Now, the elections are over. The revolt against the LTTE leadership by its one time eastern commander Col. Karuna has been quelled. A new government with a tenuous parliamentary edge has been formed. So what becomes of the peace process which has remained stalled since April 2003 when the LTTE unilaterally suspended its participation in the peace talks? The configuration of political forces following the recently held election and the circumambience it has produced have rendered the prospect of the peace process being taken forward more contentious and complicated.

ELECTION 2004 – PARTY POSITIONS IN PARLIAMENT

PARTY	TOTAL VOTES (%)	DISTRICT SEATS	NATIONAL SEATS	TOTAL SEATS
UPFA	4,223,970(45.60%)	92	13	105
UNF	3,504,200(37.83%)	71	11	82
ITAK	633,654(6.84%)	20	2	22
JHU	552,724(5.97%)	7	2	9
SLMC	186,876(2.02%)	4	1	5
UCPF	49,728(0.54%)	1		1
EPDP	24,955(0.27%)	1		1
TOTAL SEATS		196	29	225

ELECTION 2004 DISTRICTWISE RESULTS

COLOMBO

UNF	441,841	41.76%	9
UPFA	414,68	39.20%	8
JHU	190,618	18.02%	3

GAMPAHA

UPFA	509,963	51.51%	9
UNF	367,572	37.13%	6
JHU	102,516	10.36%	2

KALUTARA

UPFA	291,208	51.72%	6
UNP	212,721	37.78%	3
JHU	56,615	10.06%	1

KANDY

UNF	313,859	49.99%	6
UPFA	268,131	42.71%	5
JHU	42,192	6.72%	1

MATALE

UPFA	108,259	49.19%	3
UNF	100,642	45.73%	2

NUWARA ELIYA

UNF	176,971	54.02%	4
UPFA	82,945	25.32%	2
UCPF	49,728	15.18%	1

GALLE

UPFA	306,385	56.58%	6
UNF	209,399	38.67%	4

MATARA

UPFA	241,235	60.27%	5
UNF	139,633	34.89%	3

HAMBANTOTA

UPFA	178,895	64.05%	5
UNF	98,877	35.40%	2

JAFFNA

ITAK	257,320	90.60%	8
EPDP	18,612	6.55%	1

VANNI

ITAK	90,835	64.71%	5
UNF	18,612	23.95%	1

BATTICALOA

ITAK	161,011	66.71%	4
SLMC	43,131	17.87%	1

DIGAMADULLA

UPFA	111,747	38.49%	3
SLMC	76,563	26.37%	2
ITAK	55,583	19.13%	1
UNP	42,121	14.51%	1

TRINCOMALEE

ITAK	68,955	37.72%	2
SLMC	55,187	35.66%	1
UPFA	31,053	16.99%	1

KURUNEGALA

UPFA	412,157	51.93%	9
UNF	340,768	42.94%	7

PUTTALAM

UPFA	142,784	49.28%	5
UNF	135,152	46.64%	3

ANURADHAPURA

UPFA	212,943	57.72%	5
UNF	148,612	39.94	3

POLONNARUWA

UPFA	106,243	57.25%	3
UNF	75,664	40.84%	2

BADULLA

UNF	181,705	49.09%	5
UPFA	178,635	48.26	3

MONARAGALA

UPFA	117,456	61.14%	3
UNF	71.067	36.99%	2

RATNAPURA

UPFA	261,450	53.14%	6
UNF	205,490	41.77%	4

KEGALLE

UPFA	214,267	50.88%	5
UNF	186,641	44.32%	4

UPFA: United Peoples Freedom Alliance
UNA: United National Front
ITAK: Illankai Tamil Arasu Kadchi
JHC: Jathika Hela Urumaya
SLMC: Sri Lanka Muslim Congress
UCPF: Up-Country Peoples Front
EPDP: Eelam Peoples Democratic Party

ELECTION 2004

A New Prime Minister and Cabinet

Mr.Mahinda Rajapakse was sworn in as the Sri Lanka's fourteenth Prime Minister before President Ms Chandrika Kumaratunge on Tuesday 6 April at a ceremonial event held in the Presidential Secretariat on 6 April.

Mr Mahinda Rajapakse (58) is a senior leader of the Sri Lanka Freedom Party (SLFP) and currently the co-national organizer of the United Peoples Freedom Alliance (UPFA). The Janatha Vimukthi Peramuna (JVP) is the other major constituent of the UPFA, which was formed during the latter part of January this year with the aim of ousting the United National Front government from power.

It was reported earlier that Ms Chandrika Kumaratunge earlier favoured her International Advisor and former Minister of Foreign Affairs, Mr.Lakshman Kadirgamar, for the post of Prime Minister, but it would seem that the majority of elected MPs from the SLFP preferred the appointment of Mr Rajapakse. The JVP is reported to have strongly backed the appointment of Mr.Kadirgamar as Prime Minister.

Mr. Rajapakse held the post of the Leader of Opposition in the 12th parliament dissolved last year. He held two ministerial portfolios in the PA government, first as Minister of Labour and later as Minister of Fisheries. He also held the Portfolio of the Ports and Shipping for a short period of three months.

Hailing from a political family, Mr Rajapakse, a lawyer by profession, took up to full-time politics in 1968 at the early age of 22. Born on November 18, 1945, "Mahinda", as he is affectionately called, was only 24 when he entered parliament in 1970 to represent the Belliatta constituency in south Sri Lanka.

His father, D. A. Rajapaksa one of the co-founders of the party along with SWRD Bandaranaike, had represented the same seat from 1947 to 1965.

He was elected to the thirteenth parliament at the election held on 2 April from the Hambantota electoral district in the southern province topping the preference votes with 107,603.

Mr. Mahinda Rajapakse is a devout Buddhist and was honoured with the title of "Sri Rohana Janaranjana" by the venerable Malwatte Chapter in 2000.

Though identified as a person steeped "Sinhala Buddhism", the dominant ideology of post-independence Sri Lanka, Mahinda has no trace of communalism. Soft spoken and intellectual, he is an admirer of India and Indian political culture. He is the only Sri Lankan leader to dress in Indian style wearing the pyjama-kurta with a angavastram over his shoulders.

Down to earth, Mahinda is at ease with the elite of Colombo as well as the hoi polloi in the villages.

In his first public statement following his appointment, Mr Rajapakse called for greater Indian involvement "in every way that they can diplomatically" in the peace process. Mr. Rajapakse said: "India has always been interested in Sri Lankan affairs. I think it is high time they get more involved in achieving peace in Sri Lanka."

In addition to existing trade ties, the new Prime Minister sought Indian assistance in agriculture, industries, highways and roads and infrastructure.

A New Cabinet of 31 Ministers

A 31-member Cabinet of Ministers was sworn-in by the Sri Lankan President, Chandrika Kumaratunga on 10 April.

Mahinda Rajapakse, who was Leader of the Oppositoon in the outgoing Parliament and was sworn-in as Prime Minister on the previous day, was appointed Minister of Highways, in addition to his Prime Ministerial duties.

The President has retained for heself the key portfolios of Defence, Constitutional Affairs and Education. Under the Sri Lankan Constitution, it is not the Prime Minister, but the President who is the Head of Cabinet.

Lakshman Kadirgamar, Ms. Kumaratunga's senior adviser on foreign affairs was appointed the Foreign Affairs Minister - the portfolio held by him during the earlier People's Alliance Governments between 1994 and 2001. Anura Bandaranaike, Ms. Kumaratunga's brother, was appointed Minister of Industry, Tourism and Industrial Development.

The lone member from the Eelam People's Democratic Party (EPDP), Douglas Devananda, was given a Cabinet berth as the Minister for Agricultural Marketing Development, Hindu Affairs and Tamil Language Schools. Mr. Devananda was the only member from outside the United People's Freedom Alliance (UPFA) to join the Ministry.

The UPFA, which has 105 MPs in Parliament, is eight seats short of the simple majority mark in the 225-member House. To enjoy an effective working majority, it needs at least 114 MPs, to be able to appoint its MP as the Speaker. The support of two minority parties - the Ceylon Workers Congress with eight MPs and the Sri Lanka Muslim Congress (SLMC) with five members would take it well past the halfway mark.

While neither of the minority parties has pledged its backing to the UPFA Government yet, the nine-MP Jathika Hela Urumaya (JHU) comprising Buddhist monks has promised only issue-based support from outside.

Some other key Ministers appointed today are: Sarath Amunugama (Finance), D.M. Jayaratne (Post and Telecommunications and Upcountry Development), Ferial Ashraff (Housing and Construction), and Dinesh Gunawardena (Urban Development and Water Supply). Another four Ministers from the Janatha Vimukthi Peramuna (JVP) who were not sworn in today due to "a party rally" are to be inducted shortly, Presidential Secretariat sources said.

The JVP denied daylong rumours that it had stayed away from today's ceremony due to "disappointments in Ministerial portfolios." In addition to the Cabinet Minister, Ms. Kumaratunga named a 27-member team of Deputy Ministers.

Cabinet Ministers:

1. Hon. Mahinda Rajapaksa, MP - Minister of Highways; 2. Hon. Anura Bandaranaike, MP - Minister of Indus-

try, Tourism & Investment Promotion 3. Hon. D. M. Jayaratne, MP - Minister of Post and Telecommunications and Upcountry Development 4. Hon. Amarasiri Dodangoda, MP - Minister of Public Administration and Home Affairs 5. Hon. Nimal Siripala de Silva, MP - Minister of Healthcare and Nutrition 6. Hon. Mangala Samaraweera, MP - Minister of Ports and Aviation 7. Hon. A L M Fowzie, MP - Minister of Environment and Natural Resources 8. Hon. Lakshman Kadirgamar, MP - Minister of Foreign Affairs 9. Hon. Jeyaraj Fernandopulle, MP - Minister of Trade, Commerce and Consumer Affairs 10. Hon. Maithripala Sirisena, MP - Minister of River Basin Development and Rajarata Development 11. Hon. John Senaviratne, MP - Minister of Justice and Judicial Reforms 12. Hon. Sumedha Jayasena, MP - Minister of Women's Empowerment and Social Welfare 13. Hon. (Dr) Sarath Amunugama, MP- Minister of Finance 14. Hon. Milroy Surgias Fernando, MP - Minister of Christian and Parliamentary Affairs 15. Hon. Jeewan Kumaranatunga, MP - Minister of Sports and Youth Affairs 16. Hon. Pavithra Devi Wanniarachchi, MP - Minister of Samurdhi and Poverty Alleviation 17. Hon. Anura Priyadharshana Yapa, MP - Minister of Plantation Industries 18. Hon. Tissa Karaliyadde, MP - Minister of Indigenous Medicine 19. Hon. Dinesh Gunawardene, MP - Minister of Urban Development and Water Supply 20. Hon. Douglas Devananda, MP - Minister of Agricultural Marketing Development, Hindu Affairs & Tamil Language Schools & Vocational Training (North) 21. Hon.(Mrs) Ferial Ashraff, MP - Minister of Housing and Construction Industry, Eastern Province Education and Irrigation Development 22. Hon. Susil Premajayantha, MP - Minister of Power & Energy 23. Hon. Athauda Senaviratne, MP - Minister of Labour Relations and Foreign Employment 24. Hon. R M S B Nawinna, MP - Minister of Regional Infrastructure Development 25. Hon. Piyasena Gamage, MP - Minister of Skills Development, Vocational and Technical Education 26. Hon. Janaka Bandara Tennakoon, MP - Minister of Provincial Councils and Local Government 27. Hon. Felix Perera, MP - Minister of Transport 28. Hon. C B Ratnayake, MP - Minister of Estate Community Infrastructure 29. Hon. A L M Athaulla, MP - Minister of Infrastructure Development in the Eastern Province 30. Hon. Reginold Cooray, MP - Minister of Information and Media 31. Hon. Tissa Vitharana, MP - Minister of Science & Technology.

UNP big guns lose

Many of the heavy-weight stalwarts of the outgoing United National Front (UNF) will no longer figure in the limelight because they have lost their seats at the recent elections. Besides, many who did not contest and expected to be included in the UNF's National List of MPs have also been dropped.

The United National Party (UNP), the main component of the UNF, party lost many of the districts which it won convincingly less than two and a half years ago. If not for its alliance with the Ceylon Worker Congress, it would have even lost the districts of Kandy, Nuwara Eliya and Badulla.

Of the Colombo district's 15 electorates, all of which the UNP had won in 2001, the party managed to hang on to only six electorates. Two of the most humiliating defeats came in the electorates of Maharagama and Kesbewa where the UNP fell to third place behind the UPFA and the Jathika Hela Urumaya (JHU), which seems to have eroded the strong support that the UNP has enjoyed over the years in the Colombo district.

Some of the UNP's big hitters such as former Cabinet Ministers Ravi Karunanayake, Karunasena Kodituwakku, Gamini Lokuge and Bandula Gunawardena were among those who lost in their electorates while in the Gampaha district Jayalath Jayawardena, Wijepala Mendis, Olitha Premathiratne, Edward Gunasekara, Atula Nimalasiri Jayasinghe, Sarath Chandra Rajakaruna, Pradeep Hapangama and Jayantha Ketagoda were among those who lost their electorates. However some of them were later declared winners after the count of preferential votes.

In the two districts, the seats that fell to the UPFA included Biyagama, Kelaniya, Kolonnawa, Kotte, Kaduwela, Avissawella, Ratmalana, Homagama and Moratuwa. In the Kalutara district, too, the seats of some top slot UNP members such as Mahinda Samarasinghe, Rajitha Senaratne, Lakshman Wijemanne and Sarath Ranawaka were lost.

Because of the low percentage of votes secured at the election, the UNF became entitled to nominate only 11 Nationalist List MPs. Out of which, in terms of the agreement reached between the constituent parties comprising the UNF, the Sri Lanka Muslim Congress (SLMC) was allocated 4, the Ceylon Workers Congress (CWC) was allocated 2, and the Up-Country Peoples Front(UCPF) was given 1. In the event the UNP, the main constituent of the UNF got only 4 out of the 11 slots.

The following is the list of UNF's National List MPs:

K. N. Choksy (former Minister of Finance), Prof. G.L. Pieris (former Minister of Industrial Development and Investment and Constitutional Affairs), Naveen Dissanayake (former Deputy Minister of Plantations) and Ali Zaheer Moulana from the UNP; Abdul Bhais Kamardeen, Hussain Ahamed Bhaila, Ismail Mohamed Kuddhas and W.P.S. Pushpakumara from the SLMC; M.S. Sellsamy and V. Puthrasigamany from the CWC, and P. Radhakrishnan from the UPF.

Among those who have been dropped from the UNF's National List are three former senior Ministers, former Foreign Affairs Minister Tyronne Fernando, former Minister of Defence, Transport and Civil Aviation Tilak Marapana and former Parliamentary Affairs Minister A. H. M. Azwer. Among the other UNP stalwarts axed from the list were Dr. Ranjith Atapattu, a former minister of health, ex-parliamentarian Ravinda Randeniya and Ronnie de Mel, who crossed over to the UNP on the eve of the April 2 poll.

Former Minister Tyronne Fernando had served as parliamentarian for 26 years and Ronnie de Mel, who switched sides many times, was the longest serving finance minister in Sri Lanka during the UNP regime.

As the CWC and the SLMC demanded their pound of flesh, it is said that UNF leader Ranil Wickremesinghe had no alternative but to sacrifice his own party's nominees in the National List.

It is also said that the UNP leader feared that if he acted in away to give preference to his own party's nominees, it would have displeased the CWC and SLMC leadership making it easy or them to throw in their lot with the Government thus ensuring an easy overall majority for it in parliament. By giving into the demands of the CWC and SLMC, he has prevented at least for the time being that these parties remained in the opposition.

The CWC claimed that it was justified in asking for the allocation two slots

in the UNF's National List. Even in the districts the UNF won a majority of the votes cast, it would appear that it did so because of the vote-bank of the CWC. Ceylon Workers' Congress (CWC) Vice Chairman and UNF MP Faizer Musthafa said that the UNF won the Kandy, Nuwara-Eliya and Badulla districts from the votes received for the CWC. Otherwise, it would have been defeated even in those three districts. He also said that the three CWC candidates from Nuwara-Eliya, two from Badulla and one from Kandy who contested under the UNF ticket secured their seats in Parliament.

He asserted that if not for the CWC, the UNF would have lost the three districts and the Alliance would have received the required overall majority. He further added that the UNF, which won those districts because of the CWC, definitely must be give the promised two National List seats to the CWC.

He also said that the party had still not decided to assist the President and the Alliance government, but, if they are to solve the woes of the hill country Tamils, they will support the Alliance government.

TNA MPs

The TNA goy 22 seats in the elections held on April 2. The following are the 20 TNA elected MPs: R. Sampanthan (Parliamentary group leader), Mavai Senathirajah (Deputy Leader), Selvam Adaikalanathan (Party Whip), Gajendrakumar G.Ponnambalam, Suresh Premachchandran, N.Raviraj, M.K.Sivajilingam, N. Sivasakthi Anandan, K.Thurairetnasingham, S.Gajendran, Ms Padmini Sithamparanathan, K.Sivanesan, S.Kanagaratnam, S.Kisshor, S. Noharathalingam, T.Kanagasabai, Ms K.Thangeswari, K.Rasanayagam, S. Jeyanandamoorthy and K.Pathmanathan

The Tamil National Alliance has nominated the defeated TNA candidate Mr.Jospeh Pararajasingham of Batticaloa and Mr.M.K.Eelaventhan of Jaffna for the posts of two national list parliamentarians through the Ilankai Thamil Arasu Katchchi (ITAK). Mr. Pararajasingham became the Batticaloa district parliamentarian in the first parliamentary election held in 1989 under the district proportionate electoral system. Mr.M.K.Eelaventhan is a founder member of the ITAK and has been an activist in Tamil politics for a number years spending over more than fifteen years in Tamil Nadu.

Observers commend Commissioner & Police

While criticising the State media as biased and its absence of balance "during the campaign cast a long shadow over this election process," Margaret Reid, chair of the Commonwealth Observer Group (COG), issued an interim statement on Sri Lanka General Election 2004 commending the Election Commissioner, his staff and the Police "for their preparations and their performance on the day."

Excerpts from the statement follow:

"It is difficult to describe an electoral process as fair when the State media is as biased as it has been in Sri Lanka in the run-up to this general election. Balance on the part of the State media - with its particular authority and reach - is essential for democracy. Its absence during the campaign cast a long shadow over this election process.

"The second shadow was cast by violence and intimidation during the campaign. We commend the Police and the Commissioner of Elections for their efforts to achieve a violence-free general election. Terrorism, assassinations and other violence strike at the very heart of the democratic process and undermine development and prosperity.

"After this, the events of polling day came as a pleasant surprise. The results process is continuing, so it is too early to give a judgment on that. However, the voting has concluded and, while I will need more time before I make any statement about the situation in the north and east I can report that our teams elsewhere in the country have told me that the arrangements made by the Commissioner of Elections were effective. According to our observation, the voters were able cast their ballots freely, the secrecy of the ballot was assured, large numbers of people were processed with efficiency and the party agents were satisfied. We noted that the parties had put forward few women candidates, but many women voted. I should add that Observer Teams were given full access to polling places.

"The Commissioner, his staff and the Police are to be commended both for their preparations and their performance on the day. I congratulate the many individuals and organizations, which have worked hard with great dedication for a good general election.

"This interim statement is very much preliminary in nature, an initial comment rather than a final judgment on the general election. That final judgment will come in our Report to the Commonwealth Secretary-General and will be based on full reports from all our Teams, collective discussion by the Group and thorough assessment of the totality of the electoral process. Our Teams return to Colombo tomorrow. We will then begin writing that report, which we will complete and sign in the capital before we depart on 8th April 2004."

Commissioner decides against re-poll

Though there were reports, confirmed by independent election monitors, that there were voting irregularities in two districts in the south of the island and in the districts of the Northeast including the district of Diggamadulla in the east, the Election Commissioner decided not to annul the elections in these areas and order a re-poll.

Election Commissioner Dayanada Dissanayake after meeting with leaders of Sri Lanka's major parties told reporters, "We had a lengthy discussion and I have decided that there is no need for re-polling."

Mr.Anandasangaree faulted the Commissioner for not annulling the election result and calling for a re-poll in areas controlled by Tamil Tiger rebels and accused him of "legalizing terrorism."

"All kinds of offences were committed. The European monitors did not see the other side of the story. We cannot accept this result. We are going to ask for a re-poll," Anandasangaree told the media before the decision of the Election Commissioner.

The Center For Monitoring Election Violence (CMEV) strongly condemned Elections Commissioner Dayananda Dissanayake's decision not to call for a re-poll in the Digamadulla and Jaffna Districts.

CMEV Co-convenor Dr. Paikiasothy Saravanamuttu maintained that polling in Jaffna and the polling divisions of Sammanthurai, Pottuvil and Kalmunai in the Digamadulla District, warranted annulment and re polling. The CMEV's assessment also reflected upon the reports from local as well as international observers.

Except for situations in the north and the east the campaign period and polling day can be considered a comparatively free election, noted Saravanamuttu. ❐

Crisis in the Alliance

The dispute between the main constituent parties of the United Peoples Freedom Alliance (UPFA) continues without a solution despite several sessions of discussions between the party leaders. Though the cabinet ministers belonging to the other parties of the UPFA have been sworn-in, four MPs belonging to the Janatha Vimukthi Peramuna (JVP) have refused to present themselves before the President to be sworn-in.

In terms of the agreement between the parties, the JVP was to be allocated the portfolios of (a) Agriculture, Lands, Irrigation and Livestock, (b) Fisheries and Marine Resources, (c) Rural Economic Development and (d) Culture and National Heritage. But the JVP has complained that certain subject areas which should fall within the province of these ministries had been removed and allocated to other ministries. The JVP wants certain specified subjects such as the National Film Corporation be brought under the Ministry of Culture and National Heritage and the Mahaveli Development to be included within the Ministry of Agriculture, Lands and Irrigation. There are other areas of dispute as well.

The General Secretary of the (JVP), Mr.Tilvin Silva has written to President Kumaratunge, asking her to summon the executive committee of the United People's Freedom Alliance (UPFA), of which the JVP is a major constituent, immediately to sort out all problems that have arisen over the appointment of Mr.Mahinda Rajapakse as Prime Minister and the non-allocation of "vital subjects" for ministries offered to JVP parliamentarians who are yet to be sworn-in.

"Of the sixty five Sri Lanka Freedom party (SLFP) parliamentarians in the UPFA, 31 have been appointed cabinet ministers and another 31 have been appointed deputy ministers leaving only three [without any ministries]. These three will share the posts of Speaker, Deputy Speaker and the Chairman of Sub Committees in the parliament. This is contrary to our agreement on the number of ministers in the UPFA government," Mr.Tilvin Silva complained in his letter to the President.

The support of the JVP with forty parliamentarians is crucial for the survival of the UPFA government which has yet to demonstrate its majority in parliament,

UPFA leadership before the general election agreed to offer four ministries, Agriculture and Land, Cultural Affairs, Rural Economy Development and Industries to JVP parliamentarians with four deputies. After the general election the President offered these ministries to the JVP but removed vital subjects that come under such ministries.

"Agriculture and Land Ministry has been given after removing the subject of Mahaveli Development. Cultural Ministry has been given without Sri Lanka Film Corporation and Censor Board. Rural Economy Development Ministry has been given without rural banks and other financial institutions and likewise Industries Ministry without vital organs," Mr. Silva's letter pointed out to the President.

The JVP appears to be unable to reconcile itself with the appointment of Mahinda Rajapakse as Prime Minister. "You agreed earlier in a discussion with us to appoint Mr.Lakshman Kadirgamar as Prime Minister. Later you appointed Mr.Mahinda Rajapakse in violation of our agreement. You could have appointed Mr.Anura Bandaranaike or Mr.Maithiripala Sirisena if you wanted a Buddhist for the post of Prime Minister. This has created a dent in our memorandum of understanding," the JVP told the President.

Despite several rounds of discussions between the parties, the dispute regarding the allocation of subjects to the JVP's portfolios rumbles on.

In another unsettling dispute, Mr.Arjuna Ranatunge, an Alliance MP and former captain of the Sri Lanka cricket team when it won the World Cup in the year 1996, Sunday announced his resignation 'from all posts in the Sri Lanka Freedom Party', main constituent of the UPFA He has been holding the post of party organizer for Kotte electorate and the leader of the SLFP youth wing.

His decision to quit from these posts came in protest against not being appointed for the sports ministry portfolio.

Mr.Ranatunge, who believed that sports ministry was his for the taking, was given the post of Deputy Minister for Rural Development. When he came to know that Mr. Jeevan Kumaratunge had been given the Sports Ministry, Ranatunga had walked out of the President's House evening without taking oaths with other deputy ministers on 10 April.

As response to the continuing divisions within the Alliance, the President appointed a five-member committee chaired by with the Prime Minister Rajapakse to reach an amicable solution. Ministers Douglas Devananda of the Eelam Peoples Democratic Party (EPDP), Susil Premajayantha, Secretary of the UPFA, Jeyaraj Fernandopulle of the SLFP and Ms Ferial Ashraff of the National Unity Alliance (NUA) are the other members of the five member-committee.

The committee held discussions with the JVP leaders during the last few days and at last was able to reach some consensus over vital issues, paving the way for the designated JVP ministers to take oaths in a day or two, political sources said.

Ranil faces internal crisis

In the meantime, the ousted Prime Minister and the leader of the United National Party (UNP), Mr Ranil Wickremasinghe, is also facing mounting criticism within his party mainly from some leading figures who have been left out of the UNP's National List of MPs. Out of the 11 slots to which the United National Front (UNF) was entitled to, Ranil Wickremasinghe has allocated the majority of them to the minority parties - SLMC 4 CWC 2 and UCPF 1 - leaving the UNP with only 4.

It is reported that leading figures of the UNP want their leader to review existing agreements with UNF constituents on the allocation of national list slots. "We have to do this on a priority basis," a veteran politician told Colombo daily while lambasting the party leadership for giving into unreasonable demands of constituents.

"This is ridiculous. Imagine giving the majority of slots to constituent parties. Among the nominees is the father-in-law of a party leader of minority party," in an undisguised reference to the leader of Sri Lanka Muslim Congress to which 4 slots in the National List had been allocated by the UNP leader Ranil Wickremasinghe. Another nominee is a person who crossed over from the People's Alliance shortly before nominations. He changed sides at the previous election and unsuccessfully contested the Nuwara Eliya district. He was rejected by the people. But President Chandrika Kumaratunga gave him a national list slot (in the last parliament). "Now we have accommodated him," he said, pointing out that there were only four slots for the UNP. One of the slots went to PA rebel Prof. G. L. Peiris who had never faced the people. Other slots went to K. N. Choksy, Naveen Dissanayake and Ali Zaheer Moulana.

Breaking ranks is the Foreign Minister in the ousted UNF re-

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gime, Tyronne Fernando. Though, displeased with his omission to be nominated as a National List MP, Mr Fernando's criticism against his leader was much more wide-ranging pinpointing reasons for their defeat at the recent general election.

He said in a letter to party leader Ranil Wickremasinghe that the main reason was their disregard for the 'oppression' suffered by the people. Mr. Fernando said the UNF could have consolidated the victory it achieved in 2001 had it adopted flexibility and political maturity. He alleged that the United National Party has now plunged into a crisis and has failed to get its priorities correct. Pointing out that "there is something radically and tragically wrong somewhere in the UNP," Mr Fernando said that "...the party [UNP] is gradually losing its sense of direction and priorities".

Commenting on his failure to make it to parliament on the UNP national list, the former minister said that even the public was surprised that the party had overlooked him. He also criticized the awarding of four national list nominations to a party (a reference to the Sri Lanka Muslim Congress) that won only five seats at the polls.

Discussing the surprise move taken by the UNP leader not to include Mr. Fernando's name on the UNP national list, he said, "Now everyone is dismayed by your arbitrary decision to omit me from the National list, for whatever flimsy excuses that could be concocted.

"The story gets even worse and curiouser when I had been promised by you in no uncertain terms that I would be in the 13th Parliament and this was announced by you at the Moratuwa Rally on 30th March, three days before the Elections. Worse, I had been promoted by you and the Cabinet to vie for the UN Secretary Generalship in 2006, making this omission from Parliament a cause for international consternation and bewilderment," the angry former minister stated.

Indicating that he might sever his connections with the UNP, the former Minister said, "My omission from the National list to Parliament arbitrarily has served to confirm our worst fears. Since you will never allow a serious attempt to find out where the malady lies and remedy it, I am reluctantly compelled with a heavy heart to reassess my affiliation to the Party. It is a party to which I contributed so much during the last three decades but I consider the interests of the country for which my ancestors have valiantly fought and laid down their lives, to be more important than any other consideration."

Speaking to press, Mr Fernando rejected news reports that he was to be appointed Sri Lanka's permanent representative at the United Nations describing such reports as an attempt to take the public focus away from his loss of a seat in parliament. He described these reports as "concoction by spin doctors".

"The international community has expressed bewilderment over my non appointment as a National List MP", he said.

Saying he had no intention of quitting politics, Mr. Fernando charged that the UNP's failure at the general elections was due also to the JHU factor. He said the JHU had been able to win over many from among the UNP's "chewing gum and pony tail" supporters for the mission of building up a Dharma Rajya.

He said there was also a perception among the people that the UNF was too readily caving into LTTE demands and the solution the people were long awaiting was not forthcoming. He believed the UNP should not have monopolised the peace process.

Saying that when one door closes, another opens, Mr Fernando said, "I have received an invitation from the Minister of Tourism,

Anura Bandaranaike to join the party. If matters turn worse, then I will be compelled to take a decision to join the UPFA," adding, "But at the moment I am in the process of reassessing the party leadership, policies and my affiliation to the party since I feel that there is something radically and tragically wrong in the UNP which is now losing its sense of direction and priorities."

Condemning the party leadership, the former minister said he believed in collective leadership which listened to others rather than dictatorship. He also alleged that the party was now in a process of putting honest and decent politicians onto the streets and letting all sorts of others, including thugs remain in the party.

He also criticised the party's shortsighted decisions saying the agreement signed between the UNP and SLMC which he described as a folly, the party had agreed to allocate four seats in the UNP National list to the SLMC. "This has resulted in half a million voters from Colombo West to Moratuwa having nobody from the UNP to represent them in Parliament. On the other hand, having secured only 186,876 votes, the SLMC ends up with a total of nine seats," he said.

"I have known President Chandrika Bandaranaike Kumaratunga from her childhood and I know that she is a moderate leader and we all know that she was twice elected President of Sri Lanka.

"Willingly or not, we have to accept the fact that she is the President and on several occasions I negotiated with two major parties to come to a working arrangement, until when all such efforts went down the drain with some actions taken by several so called "mighty UNPers" who even tried to inspect what was inside her handbag," he added.

As a senior MP who represented the UNP for 27 years, Fernando revealed several facts that led to the humiliating defeat in General Elections 2004. One of those were that the UNP in its past had only managed to create a chewing gum and "pony tail" youth culture.

They failed to nurture religious values which ultimately resulted in larger chunks of UNP votes being eaten up by the Jathika Hela Urumaya. The other fact is that the UNP mainly promoted the betterment of a handful of business and mafia communities rather than the public and farmers, Fernando charged.

The UNP Provincial Councillor, Senaka Damayantha along with 42 UNP organisers have decided to step down from the party membership in protest over the decision to drop Fernando on the National List.

LTTE on Election Results

The Tamil people have delivered a clear message that the "concept of the Tamil Homeland, Tamil Nationalism and the right for Tamil self rule should be accepted as the basic aspirations of the Tamil people and that the Tamil national problem should be politically resolved on that basis, failing which the Tamil people will fight to establish the Tamil sovereignty in their homeland on the principle of self determination," said the Political division of Liberation Tigers of Tamil Eelam (LTTE) in an official communique released in the peace secretariat website.

The communique said that by giving Tamil National Alliance (TNA) a historic victory, the Tamil people have performed their historical duty and have sent a clear message to the "Sinhala Nation and the International community at large."

The communique added that this is the first time after the 1977 elections that the "Tamil people have expressed their aspirations more resolutely and unambiguously...."

The communique appealed to the Tamil people to continue to support the TNA and described the TNA as "the political entity that is assigned the task of being supportive of the Liberation Tigers and the Leadership, relentlessly fighting for the security and freedom of the Tamil people."

During the 1977 elections the TULF stood on a platform approved overwhelmingly by the Tamil people during the landmark Vaddukoddai resolution under the chairmanship of S.J.V.Chelvanayakam which called upon all Tamils to work towards the goal of a separate state of Tamil Eelam.

The full text of the release is as follows: The Tamil people, by their national mandate in the election held on 2nd April 2004, have performed a commendable historical duty. This endorsement reconfirms their acknowledgement of the supreme sacrifices our Lliberation fighters and the leadership have performed, and the military achievements through which the freedom struggle has reached a historical juncture. This mandate invariably reiterates their moral support for our freedom struggle.

The Tamil people have, with a sense of responsibility and national spirit, undertaken this part of their duty under strenuous circumstances, waiting for long hours in the voting line under scorching sun to exercise their franchise. This vote in unison has provided to the Tamil National Alliance(TNA) a historical and landmark victory. By this collective act the Tamil people have conveyed an open message to the Sinhala Nation and the International community at large.

Through this mandate the Tamil people have acknowledged the leadership of the Liberation Tigers as that of the Tamil national leadership. The Liberation Tigers have thus been declared as the accredited and understandably sole representatives of the Tamil people, a deep resonant national message to the world. The Tamil people have, by this mandate expressed unequivocally that they stand united, sinking all differences, under the leadership of the Liberation Tigers. A clear message has been effectively delivered by the Tamil people, in that, the concept of the Tamil Homeland, Tamil Nationalism and the right for Tamil self rule should be accepted as the basic aspirations of the Tamil people and that the Tamil national problem should be politically resolved on that basis, falling which the Tamil people will fight to establish the Tamil sovereignty in their homeland on the principle of self determination.

It is only in this election, after the public vote in 1977 wherein they mandated the formation of a separate self-rule for Tamil Eelam, the Tamil people have expressed their aspirations more resolutely and unambiguously in an overwhelming manner. By this action the Tamil people have elevated the Tamil National Struggle to a noble pedestal so that none could vilify or ignore it. Above all, they have demonstrated to the world that the Liberation Tigers of Tamil Eelam are a strong and formidable peoples' force. We consider this as a major political victory for our freedom struggle. To our people who earned this victory, we wish to express our sense of appreciation and gratitude on behalf of the Tamil National leader and our freedom organization.

Also we request of you most fervently to continue your unstinted support to the TNA, the political entity that is assigned the task of being supportive of the Liberation Tigers and the Leadership, relentlessly fighting for the security and freedom of the Tamil people.

Constitutional Reform

President Kumartunga went to the polls three years before it was due seeking a mandate from the people to put in place a new constitution which would make radical changes including the abolition of the all powerful executive presidency. In the event she could not secure even a simple majority in parliament for her Freedom Alliance to form a stable government for which she has to rely on minority parties represented in parliament which have so far not shown any inclination to join her government.

From the time Mrs Kumaratunga came to power ousting the UNP which had held political sway during the previous seventeen long years, her pet project has been the introduction of constitutional reform providing firstly for the abolition the executive presidency and a return to the Westminster parliamentary model, and secondly for regional autonomy for the northeast as a means of politically settling the long running ethnic conflict which has rocked the country for the last 25 years. However, without the required two-thirds majority in parliament, she has repeatedly been frustrated by the other major political arty, the UNP which stands as a stumbling block in her endeavour to pushing through her project.

Notwithstanding the fact that the President is unlikely command the required two-third majority, it is reported that she is determined to make a valiant effort this time to somehow go through the process of constitutional reform.

According to President Kumaratunga's trsted confidant and Foreign Minister Lakshman Kadirgamar, the plan to bring about constitutional reform will involve three phases.

First, the newly-elected parliament is to wear two hats performing two roles: In its first role, it will carry on its normal parliamentary legislative functions. In its second role, it will be converted into a Constituent Assembly by the adoption of a resolution by a simple majority of Members of Parliament. This Assembly will discuss and deliberate on the constitutional changes that are to be introduced.

The Constituent Assembly will be presented with and asked to adopt two major changes in the 1978 Constitution:

The first change that will be for the abolition of the Executive Presidency and adoption of the Westminster-style of cabinet government headed by the Prime Minister, a system that prevailed in the country before the 1978 Constitution was introduced.

The second change will be for the alteration of the existing Proportional Representation (PR) electoral system which has prevented the return of a stable government in recent years. In its place a new electoral system based on the German pattern of pro-

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portional representation is to be introduced. Under the German pattern, half the members of the 225-member Parliament will be elected through the first-past-the-post system, while the other half will be elected under the PR system to ensure adequate representation to minority communities.

Once the Constituent Assembly makes these changes to the Constitution, the government will seek the approval of the people for these changes through a referendum as provided in the 1978 Constitution. But before doing so, the Government will go to the Supreme Court seeking its ruling on the legal validity of the proposed course of action.

Mr. Kadirgamar appears to be confident that the Supreme Court will rule in the government's favour. According to him, once the Supreme Court clears the proposed changes in the Constitution, the Government will hold a referendum to seek the people's approval.

He argues that the UPFA manifesto had sought the electorate's mandate to make these changes in the controversial 1978 Constitution, and the results showed that the people favoured the changes that the government was proposing. He points out that the UPFA secured 45.60 per cent of the popular vote and was voted to power in the April 2 general election, while the United National Front (UNF) got only 37.83 per cent of the vote and was ejected from office.

When asked as to how the government could overcome the hurdle placed by the present Constitution which stipulates that a two-thirds majority is necessary in Parliament to make major changes, Mr Kadiramar says that this is impossible under the present PR system. "If only we had the first-past-the-post system like in India and other democracies, we would have bagged a two-thirds majority in Parliament."

He said the UPFA government will seek the opposition UNF's assistance to amend the Constitution. He hoped that, given the popular mood in the country in favour of the proposed changes, Ranil Wickramasinghe and his parliamentary colleagues will co-operate.

Together, the UPFA and the UNF have won 83 per cent of the seats in the new Parliament. If the UNF cooperates with the UPFA, the constitutional changes can be brought about without any difficulty. "However, if the UNF refuses to help, we will still go ahead and make these important changes in the Constitution," Kadirgamar said.

Asked as to how long the entire process will take, he said: "We want to do this as soon as possible, say in the next three months or so."

Joint statement by TNA MPs

"In view of the speculative reports in the media, all Members of Parliament elected from the North-Eastern region in the name of Ilankai Thamil Arasu Katchchi emphatically state that we are unequivocally and irrevocably committed to the political aspirations of the Tamil people for over the past fifty years for self rule in a unified north-eastern region, which has been the acknowledged as the area of historical habitation of the Tamil speaking people," said joint statement by 20 Tamil National Alliance parliamentarians from the Northeast. The statement signed by all 20 MPs elected on April 2 was issued following discussions at a two-day meeting held in Colombo on 6-7 April.

It was reported that senior LTTE official from Killinochchi also were also present and participated in the discussions especially with TNA parliamentarians of Batticaloa and Amparai districts.

The full text of the statement follows: -

"The Tamil people have for over the past 55 years struggled to achieve substantial autonomy and self rule in the North-East. The failure on the part of the Sri Lankan State to resolve the Tamil National Question in a just and acceptable manner, resulted in the demand for total sovereignty an a separate state.

The armed struggle of the Liberation Tigers of Tamil Eelam, which followed, lasted for 20 years. The Sri Lankan State eventually accepted that the Tamil National Question could only be resolved through meaningful and credible negotiations.

A ceasefire agreement was signed on the 22nd of February 2002 and negotiations commenced between the Sri Lankan State and the Liberation Tigers of Tamil Eelam (LTTE) as the sole and authentic representatives of the Tamil people.

The LTTE delivered to the Sri Lankan State written proposals for the setting up of an Interim Self-Governing Authority in the North-East on the 31st of October 2003. Far reaching changes in the structure of governance on the 4th of November 2003 and the resultant political instability resulted in the General Elections held on the 2nd of April 2004.

The Tamil National Alliance contested the said parliamentary Elections under the name and symbol of the Ilankai Thamil Arasu Katchchi on the firm policy that an Interim Self-Governing Authority with substantial powers of governance should be constituted for the North-Eastern region at the earliest.

The said policy enunciated that it is imperative that the hundreds of thousands of displaced Tamil civilians should be resettled in their homes in the North-East, and rehabilitated; that the devastated North east should be rebuilt and reconstructed and the normalcy should return to the lives of the people in the North - East.

Normalcy has not returned to the lives of the Tamil people in the North-East, though more than two years have lapsed since the ceasefire agreement and the stoppage of the war.

This objective is achievable only through the setting up of an Interim Self-Governing Authority for the North-East with substantial powers of governance.

All Members of Parliament elected under the name and symbol of the Ilankai Thamil Arasu Katchchi and constituting the Tamil National Alliance urge that steps be taken forthwith to commence negotiations with the LTTE as the sole and authentic representatives of the Tamil people, for the setting up of an Interim Self-Governing Authority for the North-East, on the basis of the proposals submitted by the LTTE on 31st October 2003.

All members of Parliament so elected commit ourselves wholeheartedly on the basis of the unequivocal mandate received from the people of the North-East, at the last General Election, to unitedly and in unison strive both within Parliament and outside, particularly to muster the support of the international community to ensure that negotiations commence with the LTTE and that such an Interim Self-Governing Authority is set up for the North-East at the earliest.

"We strongly submit that the agony and anguish of the Tamil people cannot continue and there is an imperative need to bring the same to an end without further delay.

"In view of the speculative reports in the media, all Members of parliament elected from the North-Easter region in the name of Ilankai Thamil Arasu Katchchi emphatically state that we are unequivocally and irrevocably committed to the political aspirations of the Tamil people for over the past fifty years for self rule in a unified north-eastern region, which has been the acknowledged historical habitation of the Tamil speaking people. This we assert is the unquestionable verdict of the Tamil people as manifested at the last general elections, and we shall with dedication work towards the achievment of this goal.

"We also remain committed to ensure that any interim or final solution addresses the concerns of our Tamil speaking Muslim brethren in the North-East in a manner acceptable to them and that no injustice is done to any people living in the North-East."

JHU spells out its position

The party of the Buddhist monks, Jathika Hela Urumaya(JHU), which with its 9 Mmbers of Parliament holds the balance of power between the governing and opposition parties in parliament has said that it would offer conditional support to sustain the new UPFA government. However, that support comes with stringent conditions that the Government may not be in a position to fulfil.

In an interview with a Colombo newspaper, JHU Propaganda Secretary Ven. Uduwe Dhammaloka Thera spelt out his party's position.

On the JHU's decision to support the Government having categorically stated that it would not support either of the main parties in parliament, the Thera said that had "to bow to the mandate of the people who have elected the UPFA to office" and they believed they "will be able to correct the UPFA if it takes wrong decisions."

The party will remain independent and not align with any political party. It will support the UPFA as long as it takes correct decisions - decisions taken in the interest of the country. The UPFA made many promises to the masses. We will insist that it must fulfil these promises. Unlike the earlier opposition, we will support the government on the merits of the issue at stake. Even in the event of a no-confidence motion against the government, we will stick to this principle and decide whether the reasons are valid, the Thera said.

On the issue of a political solution for the ethnic conflict, the Thera said, "The position of the JVP, a main constituent party in the UPFA, is the same as ours. Our policy is that administrative structures and powers should be decentralized within a unitary state, as opposed to devolution of power within a federal state. Federalism is a mechanism to bring together several independent states as in the case of the United States. Such a mechanism is totally inappropriate here as Sri Lanka has always been a unitary state....Our position is that there is no ethnic problem in this country as more than two thirds of the Tamils live outside the North-East and they live peacefully among their Sinhala and Muslim brethren".

Asked as to whether he agreed that the Tamil people are facing problems, the Thera said, "We agree that the Tamil people are facing problems. But these problems are largely due to the myopic policies of the politicians who did not have a proper national plan, especially with regard to agriculture. We also believe that the people of the North and East are against war."

On the JHU's approach to the peace process, the Thera said, "We totally reject the present peace process as we believe it will only lead to the division of this country. We also reject the facilitation of Norway because it is partial towards the LTTE. Norway was the only country, which opposed the proposal to make Vesak an international holiday, when even hard-line Muslim states voted for it. We would be glad if an impartial country like India gets involved in the process."

The Thera also said, "We believe that all parties should sit at the negotiation table. It should not be confined to the government and the LTTE alone as it had been the case in the past. The opposition, the Anandasangari group, the EPDP and the Muslims should be included in the talks. The South African peace process succeeded because all parties were involved in it. We also believe that there should not be any compromise on the territorial integrity of the country and this principle should form the basis of any negotiations."

On the LTTE's proposals for an Interim Self-Governing Authority (ISGA), the Thera said, "The Tigers have their right to submit any proposals. But the integrity of the state should not in any case be compromised. In such an event, we will use our utmost force to defeat it."

On the economic policy of the JHU, the Thera said, "We are neither for the unbridled open economy nor for a closed economy. We promote a middle-path economy. As I said, we should implement national plans for agriculture and industries to safeguard the interests of all, not only the North and East. We have a national

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plan and we will begin its implementation with the reconstruction of 30,000 tanks. We also have a plan to make Sri Lanka self-sufficient in milk and agricultural products that could be grown in Sri Lanka."

As to how they the monks will function in Parliament, the Thera said, "We will act as advisers to MPs. We will request the Speaker to appoint a commission to deal with disciplinary matters. We will propose a new constitution. But we will insist that the constituent assembly should consist of intellectuals as well."

As to their constitutional proposals, the Thera said, "The powers of the President to intervene will be restricted other than in important matters such as national security and Buddha Sasana. A Bhikku council, on par with the office of the President, will be appointed to advise on matters with regard to the state, Buddha Sasana and culture. We have already agreed upon proposals with regard to the territorial integrity of the country, the place of Buddhism and the independence of the three Armed Forces and the Police."

Release child soldiers, UNICEF tells LTTE

UNICEF on 16 April called on the Liberation Tigers of Tamil Eelam (LTTE) to ensure that released underage cadres are not re-recruited. "The LTTE must commit itself to not re-recruiting any of the children that have left the organization in the wake of last week's fighting," the UNICEF said in a press release.

"UNICEF has confirmed the tragic deaths of two child soldiers in the LTTE fighting that took place in Sri Lanka's east last week. The children were 17 and 18 year old girls. The 18 year old had been in the Liberation Tigers of Tamil Eelam (LTTE) since August 2001 when she was just 16. Both girls were in Karuna's cadre at the time of their death, but while any child soldiers remain in the LTTE they are also at risk," the UNICEF said in the press release.

"I would like to send our condolences to the families of the children killed in the recent fighting," said Mr. Ted Chaiban,UNICEF's Representative in Sri Lanka. "These children should never be recruited or accepted voluntarily into military organizations. Even now in a time of relative peace in Sri Lanka, children have been sent to the frontline and have died there," he said. "This cannot be tolerated. All people must take a stand on this issue and protect children from this type of terrible tragedy."

"The families of the two girls are grieving the senseless loss of their young daughters. In the wake of this tragedy, UNICEF calls on the LTTE to free the remaining child soldiers in the organization, including those in the north, and to make a commitment to not re-recruit any of the children released in the past week," said the UNICEF. Referring to the recent fighting between the LTTE and Karuna faction, Mr. Ted Chaiban said. "The events of the past week and the deaths of these children underline exactly why there must be an end to child recruitment in Sri Lanka."

The UNICEF said that the LTTE must commit itself to not re-recruiting any of the children that have left the organization in the wake of last weeks fighting, and that they continue the process of releasing the children in their ranks.

On April 13 the LTTE formally released 209 children and UNICEF assisted in reunifying them with their families. However, many more children returned home of their own accord. So far, UNICEF has confirmed that 259 children have returned home to their families. But this number could continue to climb as UNICEF and its partners trace the children over the coming weeks. UNICEF is working to register all the children that have left the LTTE in the past week. This includes handing out leaflets and airing radio announcements to get families to alert UNICEF that their children have come home. UNICEF and its partners will then work to monitor all of the children to ensure that they are kept safe and that any re-recruitment or harassment was reported immediately and rectified.

Meanwhile, the Sri Lanka Monitoring Mission (SLMM) said, The LTTE had recruited 1122 children, of which 20 had been abducted. They had also abducted 293 adults within the two-year period the Ceasefire had been in operation.

SLMM on violations

The SLMM's latest statistics revealed that from February 2002 to March 2004, out of1469 complaints recorded from all Districts in the North and East, 1122 had been ruled as ceasefire violations, pertaining to "Child Recruitment", broadly within the category of "Measures to Restore Normalcy".

In the abduction category for adults and children respectively, from 681 and 43 complaints recorded to the SLMM, 293 and 20 have been declared as CFA violations in the adults and child categories respectively. There have been 9 cases of torture, 19 of intimidation, 29 of extortion, 5 forced recruitment of adults and one assassination, ruled as violations by the LTTE.

Within the "Offensive Military Operations" category, 2 cases of firing of weapons, 3 abductions of soldiers and cadres, 4 illegal carrying of arms and a case of a military related abduction has been recorded.Furthermore, 8 cases on the construction of new positions, 11 on the movement of military equipment and an instant where weapons have been deployed have also been ruled and recorded as ceasefire violation.Overall, 1873 violations against the LTTE and 93 against the Government of Sri Lanka (GOSL) have gone on record, the SLMM said.

Meanwhile, the Security Forces Head Quarters told the press that according to their statistics, there have been a total of 1914 cases of MoU violations to-date, in all Districts of the North and East, including 556 cases of abductions, 475 conscriptions, 50 ransom, 12 flag hoistings, 89 provocative activities, 60 protest campaigns and 582 other cases within it.

At the recent Praba-Karuna clash in the East, an Army restraint has averted a major clash, where a senior LTTE leader and Prabakaran-loyalist had threatened a group of army officicers with death when crossing a government-controlled area with artillery, in violation of the ceasefire agreement.

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Resettlement and mine clearing continues

The program to resettle over 227,000 families, initiated in 2002, continues without uncertainty and hesitation in the minds of all those involved in rehabilitation and resettlement of internally displaced persons (IDP's). "The recent changes in the country's administration is not going to affect the smooth flow of the events drawn out following the cease- fire," Government sources said on 8 April.

"Rehabilitation and mine clearance work has gone on as usual," they pointed out adding that the North and East had "not been neglected," just because of the excitement caused by the election results during the past few days. The NGOs have been involved in mine clearance as usual.

Sources said there had been a meeting between the Secretary to the National Steering Committee on Mine action and the Central Asia Chief of the Halo Trust, Tom Dibb on Wednesday. The National Steering Committee Secretary discussed plans on mine clearence with the visiting Halo Trust Chief. The topics under discussion had centred around future plans and the mobilisation of resources. The Secretary of Committee had indicated to Dibb of 300,000 Euros which had been made available to Sri Lanka for mine action by the German government sources said.

Government sources said that in 2003, 45,000 mines and 2.2 million square meters of land had been cleared by the International NGO's involved in mine clearing and the Sri Lankan army, government sources said. They claimed that the operators were confident that most of the mines could be cleared by the end of 2006 - as targeted by government at the beginning. "If this target is to be overcome the work to clear land mines should continue despite any form of dilemma, they claimed with conviction."

Pointing out that further developments had taken place in the field of IDP re-settlement and providing of livelihood assistance to IDP's, sources said that 66,166 families had been provided with livelihood assistance up to April 7 th (Wednesday). The amount of money that has been paid to bank accounts of IDP's amounts to Rs. 1,710 million (at the rate of Rs. 25,000 to each family).

Government officials in charge of this entire project feel that the show must go on. Even the United People's Freedom Alliance (UPFA) is of the opinion that such programs should not be disturbed over political differences, sources pointed out. According to reports 100,000 fled to India where an estimated 62,000 of them are living in refugee camps in the province of Tamil Nadu the South of India, EU sources said.

The European Union granted 5.5 million euro's as humanitarian aid for the displaced, sources said.

"An estimated number of 800,000 people have been internally displaced as a result of the armed conflict in Sri Lanka," they pointed out. The funds that have been allocated would be utilised to deal with improvement to food and water supplies, sanitation systems, better access to health care and nutrition programs, humanitarian transport services and several other projects in support of IDP's.

"It would be difficult to shake the foundation set through the Norwegian brokered cease-fire agreement over two years ago, an independent sources who did not wish to be named pointed out." There may be trepidation's in the political sphere of things but the people of the North and East want to go back to the life they knew and elections and political changes are not going to hold them back, they said.

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● Battle for the Speaker's Chair

Battle lines are drawn by the two major political parties, the governing United People's Freedom Alliance (UPFA) and the opposition United National Front (UNF), which have failed to obtain absolute majority in the general election on April 2, to show their strength when the thirteenth parliament is scheduled to meet on April 22 to elect the Speaker.

The UNF, which only obtained 82 seats in the new parliament, has decided to field its former Law and Justice Minister Mr.W.J.M.Lokkubandara against UPFA nominee for the post of Speaker. The UPFA parliamentary strength is 105 has decided to field Mr D E W Gunasekera of the Communist Party for the post.

The UNF hopes the five parliamentarians of the Sri Lanka Muslim Congress (SLMC) and one solitary member of the Upcountry People's Front (UPF), who was elected on district proportional system, would support Mr.Lokkubandara's candidature for the post of Speaker. The UNP has sought the support of the 22 TNA parliamentarians who have to make up their minds yet. It is believed that the LTTE leadership will have a decisive say in what the TNPs are likely to do. Even with the TNA support, the UNP needs the support of three more members to muster 113 to get its candidate elected.

The Jathika Hela Urumaya (JHU) with nine seats in the new parliament has said that it would decide on this issue at the appropriate time. The speculation is that it likely to support the government's nominee. Douglas Devananda, leader of the EPDP and cabinet minister, is certain to vote in support of UPFA nominee.

The UPFA islikely to nominate Communist Party General Secretary D.E.W. Gunasekera for the Speaker's post when the House meets next Thursday, political sources said.

Earlier the UPFA was seriously considering the nomination of former Prime Minister Ratnasiri Wickremenayake for the post and the President had even lobbied the support of the Jathika Hela Urumaya.

However legal and procedural impediments would prevent Mr. Wickremenayake from being nominated for the post since he had not been appointed from the Alliance national list. Therefore a national list MP after taking oaths would have to resign to pave way for Mr. Wickremenayake. But the first item on the agenda when the new parliament meets,

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will be the appointment of a Speaker.

Sources said Mr. Gunasekera had been considered due to his experience in parliament and also anticipating the support of Tamil parties because of his and the Communist Party's stand on the ethnic question.

● Ranil hints at fall of government

Following the announcement of the results, the outgoing Prime Minister Ranil Wickremesinghe told a news conference in Colombo that the United People's Freedom Alliance (UPFA) appeared to be trying to form a minority government and such a minority government will be a danger to the continuity of the peace process with the LTTE.

"If no party has the absolute majority, taking control of the peace process and making it move forward will be difficult," he said. The Prime Minister said that his position was that the peace process should be continued from where it was suspended with the Tokyo declaration.

He said that the Ceylon Workers Congress (CWC) and the Sri Lanka Muslim Congress (SLMC) were remaining with the UNF and he was having further talks with the two leaders, Arumugam Thondaman and Rauf Hakeem respectively.

Earlier there was speculation that the CWC and SLMC would support the new UPFA government. But it appeared that the UNP leader had succeeded in preventing the two parties from crossing over to the government side by agreeing to allocate 2 and 4 seats respectively to the CWC and SLMC in parliament out of the UNF's 11 seats in its National List.

The defeated PM emphasised that it would difficult for a minority government even to prepare the agenda in Parliament, apart from carrying on with the peace process which he stabilised when the Parliament was suddenly dissolved by Sri Lanka's President Chandrika Kumaratunga.

The Prime Minister said he did not believe that the southern voters had rejected the peace process totally, by voting the UPFA, but said that there were other issues connected to the defeat of his party.

He doubted the stability of the government and hinted that with no overall majority in parliament it might fall recalling the previous example of the 1960 a minority government formed in March of that year which did not survive even for few months forcing another election in July 1960.

● JVP leaders as monitors

Top JVP leaders will not accept portfolios in the new Cabinet, and only some of its second level leaders will fill the portfolios allocated to the JVP. Its leaders, including its Propaganda Secretary Wimal Weerawansa and politburo member Nandana Gunatillake, are to head a party committee to monitor functions of the new UPFA government, according to JVP sources.

This committee has been instructed to ensure that the UPFA government would implement the policies outlined in the March 11 manifesto titled "Rata Perata". The sources said the JVP also had other plans to keep a check on the government to ensure that it carried out its functions in keeping with UPFA policies.

Among the conditions, the JVP is to insist that family members of ministers must not be appointed to their personal staff and that there must be a limitation on such staff. The sources said the JVP had also protested when President Chandrika Kumaratunga started making appointments to key posts without consulting the JVP.

They said that according to the third memorandum of understanding between the SLFP and the JVP, a committee comprising representatives of both parties was to decide on top appointments. But this had not been observed. Therefore, the JVP was calling for the immediate appointment of this committee.

Accordingly, President Kumaratunga has nominated her team to the committee which will assess the appointment and progress of top public officials. This committee is likely to meet once a month.

The President has nominated Mangala Samaraweera, Lakshman Kadirg-

amar, Mano Tittawella, P.B. Jayasundara and Lalith De Mel while the JVP team will comprise Mr. Weerawansa and Mr. Gunatillake.

● JHU on Chandrika and Ranil

The Jathika Hela Urumaya (JHU) says that the party does not see any difference between President Chandrika Kumaratunge and former Prime Minister Ranil Wickremasinghes policy in dealing with the LTTE. Spokesman for JHU, Athuraliye Rathana Thero said that the present government is working closely with the LTTE and the Alliance had proved it by helping Prabhakarans faction to defeat Karuna. He accused the government of helping Prabhakaran to violate the ceasefire agreement and the MOU signed between the government and the LTTE. "How did Prabhakarans troops land in certain areas and carried out attacks against Karunas troops?" he questioned. JHU spokesman also said, "We can see clearly that the present government and the LTTE have already come to an agreement and some understanding. This makes us very uncomfortable" Rathana thero said that they were not at all happy with Wickremasinghe's relationship with the LTTE and they are even more saddened about the current developments under President Kumaratunge. Udaya Gammanpila of the JHU questioned, " Why did the Alliance which screamed so about the Millennium City debacle sacrifice Karuna, who stood against Prabhakaran?" He said that the JHU could not understand the double standards of the Alliance. In an earlier statement, the JHU said by allowing the Tigers to move thousands of fighters to the east by land and sea the new government had caused a serious breach of responsibility.

● No special treament

Buddhist monks who have become parliamentarians belonging to the Jathika Hela Urumaya (JHU) will rub shoulders with Tamil militants for the first time after their request for special seating in Sri Lanka's parliament was turned down, officials said.

The nine MPs elected from Sri Lanka's first all-clergy party were body-searched like lay legislators when they visited the red-carpeted assembly on 15 April to prepare for the first sitting next week, officials said.

Offcials rejected the monks' request for a special section in the 225-member parliament, where seats are decided by a complex system based on British tradition that combines seniority and alphabetical order.

The monks, who take a hard line against Tamil Tiger rebels, will be sandwiched between other legislators including the proxies of the LTTE, the MPs of the Tamil National Alliance.

"The monks also wanted white cloth draped over their leather seats in the assembly, but we are not in a position to accede to that demand because of traditions in the House," an offcial said.

However, in one concession, the monks will be allocated a separate dining area. The monks need to have their lunch before mid-day according to their religious rules..

● Sangaree declines JHU offer

TULF leader V. Anandasangaree who failed to enter Parliament at the recent general election having contested as an independent, has thanked the Jathika Hela Uurmaya (JHU) for offering to accommodate him in its national list at a time ' when people were moving heaven and earth to find a place in the National List'.

In a letter to the JHU, Mr. Anandasangaree said, "I am surprised at the offer of the Jathika Hela Urumaya to accommodate me in their National List as a Member of Parliament, when people are moving heaven and earth to find a place in the National List and when some of my own party men had thrown away their policies and principles and adopted low methods to become MPs. I consider the offer of the JHU as an honour bestowed on me, but I decline to accept it with very many thanks for their good gesture.

"Although I contested the last General Elections as an Independent candidate under compelling circumstances, I am strongly committed to the principle and policies of the Tamil United Liberation Front and also have a sacred duty to save the party from ruin. A place in the National List came on my way, at least three times in my own party in 1990, 1995 and 1999 and on all these occasions I declined to accept the position on principle. I assure my supporters and my party members that I never went behind anybody like some others in my own party begging for positions. I beg certain Media persons not to make this an issue."

● LSSP Secretary resigns

An internal crisis within the LSSP seems to have developed with the resignation of its long-serving General Secretary, Batty Weerakoon, which appears to have been provoked by the acceptance of cabinet portfolio by Prof. Tissa Vitharane, another senior figure in the party.

LSSP sources said that the party's 52-member Central Committee has been summoned to discuss the crisis.

Prof. Tissa Vitharane's acceptance of cabinet office in the UPFA government has created problems for sections of the LSSP which did not agree to enter the Alliance but instead work within the PA on a progressive platform to offer an alternative to the UNP.

While Weerakoon freely and willingly conceded his national list entitlement to parliament to Vitharane, he said that the LSSP was confronted with the need to preserve its identity and not enter into formations that would endanger it.

These matters had been discussed at the time preparations were afoot for the provincial council elections and an arrangement for the LSSP to have a share of the SLFP slots agreed between the JVP and SLFP under arrangements between those two parties.

The premature dissolution of parliament and national elections overtook these developments and Weerakoon expressed his desire to resign his position of General Secretary of the LSSP as he did not wish to appear on platforms from which the JVP stance on the national question would be expressed.

He was however persuaded to remain until the election was over. Once it was, before the results were announced he tried to tender his resignation but was asked to hold his horses until these matters could be discussed.

In the meantime, Vitharane informed the party of the cabinet offer which Weerakoon said was "going even further" and he submitted his resignation. Weerakoon said, "I have to decide whether I can remain in the LSSP," he said. "I don't want to split the party."

● Code of Conduct for Ministers

Ministers and their deputies have been asked not to appoint a member of their family, i.e. a spouse, child, brother, sister or a relative as personal staff, according to guidance on a Code of Conduct for Ministers stipulated by President

Chandrika Kumaratunga on 17 April. Only educated young people should be considered for such appointments.

It has earlier been the practice for ministers and deputy ministers to appoint a member of their family or a relative as personal staff as in addition to the remuneration and allowances, they enjoy the use of government vehicles, overseas travel and other perks as well.

The Ministers of the former government went on foreign trips 10-15 times a year. There was public criticism against these foreign visits which cost the taxpayers a considerable amount of money. Ministers of the UPFA government should not undertake more than a maximum of four visits abroad per annum. These official visits should be undertaken for very important official assignments and the delegation accompanying the Minister should be kept to a minimum.

All senior appointments in ministries and departments and to corporations and statutory bodies (chairmen, board of directors and working directors) should be done after consultations with the President. No transfers out of ministries and departments should be done without first discussing the need for such transfers with the President, according to the guidelines in place.

"No unnecessary expenditure should be incurred in refurbishing the offices of ministers and deputy ministers. Government buildings should be used to house ministry offices and departments. No private buildings should be rented out unless it is absolutely necessary."

The Code of Conduct also spells out that a minister will be entitled to use only two official vehicles, and two other vehicles may be used by his/her security personnel. "The use of vehicles should be kept to a minimum and there should be no abuse of public resources."

The IGP will decide on the number of security personnel to be allotted to a minister. Additional police officers or private security personnel will not be allowed to be employed. A code of conduct for security personnel will be issued in due course, the Presidential Secretariat said.

Reminding her ministers about several allegations of misconduct against some government ministers in the recent past, the President has cautioned her ministers not to leave room for similar allegations, the Presidential Secretariat said. "The people expect the elected leaders to conduct themselves in an exemplary manner both in the public and private life."

● Appointment of National List MPs before Court

The Court of Appeal on 16 April issued notice, returnable on May 17, on the Commissioner of Elections, the General Secretary of the United People's Freedom Alliance, the General Secretary of the United National Front, the General Secretaries of all the other political parties that contested the general election of April 2, 2004, General Anuruddha Ratwatte and Ratnasiri Wickramanayake.

The notice is in respect of application for Writ of Prohibition, filed by Dr. P. Saravanamuttu and Rohan Edirisinha of the Centre for Policy Alternatives seeking to prohibit the respondents, Elections Commissioner and the General Secretary of the UPFA, from nominating Anuruddha Ratwatte and Ratnasiri Wickramanayake as National List MPs of the UPFA, consequent to a vacancy caused by the resignation of anyone or more of the already gazetted National List MPs of the UPFA. The Writ application seeks to prohibit the appointment of Ratwatte and Wickramanayake as National List MPs of any other political party other than the UPFA.

The Writ application further seeks to prohibit the appointment of any person, who is not a gazetted National List candidate prior to the poll, or who is not a nominated candidate of a political party, from getting selected as a National List MP, upon the creation of a vacancy, among the already gazetted List of National List MPs.

The petitioners had said that it is undemocratic to select a person, whose name was not made known to the voters prior to the poll, as a National List MP, of a contesting political party. At least the person to be declared as a National List MP should have contested the poll, they had said in their petition. They alleged that it is an arbitrary practice to select persons undeclared to the voter, as National List MPs. The electorate had the right to know who would be National List MPs, before they voted for any political party, the petitions said.

The petitioners said that their fundamental right to franchise is being violated.

The petitions were supported by M. A. Sumanthiran and Viran Corea, instructed by Ms. Lilanthi de Silva.

Anil Obeysekera PC appeared for Anuruddha Ratwatte. Counsel Obeysekera said that, the petitions citing fundamental rights violations and an erosion of the sovereignty of the people, calls for an interpretation of the constitution. The Court of Appeal has no jurisdiction to hear this case. It should be referred to the Supreme Court, to interpret the constitution.

Dr. Jayampathy Wickramarathna with Gaston Jayakoddy appeared for Susil Premajayantha, the General Secretary of the UPFA. Dr. Wickramarathne said that any constitutional interpretations should be referred to the Supreme Court. He said that consequent to the seventeenth amendment to the Constitution, the powers of the Elections Commission is exercised by the Elections Commissioner. The actions of the Elections Commissioner could be challenged in the Supreme Court only.

Ikram Mohammad PC, appeared for the General Secretary of the SLMC. He endorsed the submissions made by Mr. Obeysekera and Dr. Wickramarathna.

Daya Palpola PC, appeared for the General Secretary of the UNF.

M. A. Sumanthiran in his reply said that, the petitioners do not seek a declaration of their fundamental rights from the Court of Appeal. The petitioners are only requesting the Court to apply the constitutional provisions on Writ jurisdiction. There is no question of interpretation of the Constitution. Only the application of the same, he said.

The petitioners were given time till May 17, to make any written submissions against the preliminary objections by the respondents.

The Bench comprised, Justice Andrew Somawansa and Justice I. S. Imam.

● TNA MP signs resignation letter

It is learnt that the newly elected Tamil National Alliance Parliamentarian for Batticaloa District, Kingsley Rajanayagam, was compelled to sign a letter of resignation on 17 April.

It is understood that the newly elected

MP was summoned by the LTTE leadership in the Wanni for a meeting and later was asked to place his signature on a letter of resignation which had already been prepared.

Mr. Rajanayagam had contested for Batticaloa district at the recently concluded General Election. He received 38,633 preferential votes.

It is said that the LTTE leadership regarded Mr. Rajanayagam as a close confidante of LTTE renegade leader Karuna.

● Lankan's assets frozen

According reports from Dubai, the United Arab Emirates (UAE) government has frozen the accounts of Sri Lankan businessman Buhary Abu Syed Tahir who has been linked to the nuclear black market racket. The detail of this racket came to light following the investigation into the proliferation of nuclear technology by Pakistan to Iran and North Korea.

The Sri Lankan businessman has been accused by the United States government of brokering black-market deals for nuclear technology.

The accounts of SMB Computers, a company founded by Buhary had been frozen by the UAE Central Bank. "The UAE Central Bank has frozen all accounts related to SMB Computers Co. as part of the investigation," Sultan bin Nasser al-Suweidi had told reporters on the sidelines of a conference held in the capital, Abu Dhabi, to regulate an informal system of money transfer known as hawala. SMB is a Dubai-based company established by Tahir and his brother, Syed Ibrahim Buhary, that President Bush alleged was used as a front by Tahir for clandestine movement of parts for nuclear centrifuges.

The company is part of a small-business empire with interests in Pakistan, Iran and Libya, key countries linked to the clandestine nuclear weapons network. Al-Suweidi said results of the investigation will be revealed soon. Authorities also shut down the company's operations in Dubai, the Gulf News reported recently.

Tahir, who is married to a Malaysian, is believed to be living in Malaysia, where he has been questioned by police and kept under surveillance, but is not in custody. Al-Suweidi said earlier that authorities also have confiscated $3 million in terrorism-related funds and frozen 14 accounts of companies and individuals named on lists by the United Nations and the United States. ❐

Karuna in Colombo?

Reports indicate that after disbanding and sending his followers home, the renegade eastern Tiger guerrilla leader Vinayagamoorthy Muralitharan alias Karuna and a host of his close aides have fled the battle areas of Batticaloa district to find safety in the south of the island and found accommodation in a hotel in Colombo, the location of which remains undisclosed. Some other reports state that he has already gone to Australia where he is seeking political asylum.

According to a report in the Sunday Times (18 April), some other members of his inner circle and their families and checked in en masse to a hotel in southern Colombo. "Within hours a Police party raided the hotel. They checked their identities and learnt the men, women and children were all from Batticaloa district. There was very little the highly excited Police team could do for those men and women had not committed any offence. So the Police party left.

But that police raid caused enough damage to Karuna's close supporters who had helped him in the campaign against Tiger leader, Velupillai Prabhakaran. Men deployed by Pottu Amman, intelligence wing leader of the Liberation Tigers of Tamil Eelam (LTTE) soon learnt of the presence of these fleeing families. As they checked out of the hotel, a cat and mouse game began. Tiger guerrilla intelligence wing cadres and pistol gangs that are swarming the City, are now on the hunt for them. The City may once again become the killing ground for them, much the same way these gangs hunted down and eliminated informants of the Army's Directorate of Military Intelligence following the ill advised Police raid on the Army's Safe House at Athurugiriya," the report said.

The news report affirms the denial by the Ministry of Defence that Karuna and his band of followers had been escorted into the city of Colombo by armed Security Forces personnel. "They had no hand. Nor did the former LTTE Batticaloa-Ampara leader flee along the Manapitiya, Polonnaruwa, Minneriya route to Colombo stopping at wayside restaurants to dine. Karuna and his close aides came through a route north of the City. Boarding a fleet of luxury vehicles for the journey after his ignominious defeat at the hands of Mr. Prabhakaran's men."

However, ***Thamil Alai,*** a Tamil newspaper published by the LTTE from Batticaloa reported quoting eyewitnesses among the public that the fleeing Karuna and his associates were seen running into the Mavadivembu camp of the Sri Lanka Army, and from there were escorted in the direction of Polonnaruwa. Mavadivembu is 22 km northwest of Batticaloa town.

According to the eyewitnesses quoted by the paper, men from the Karuna group visited Kalladichenai, a paddy growing area of fields, in 7 vehicles, and set fire to a Pajero jeep and 2 pickup vehicles before leaving in other vehicles. In the no-man zone between the Kalladichenai paddy fields and the Mavadivembu SLA camp, the group was met by SLA personnel and escorted into the SLA camp, from where they were seen being escorted to Polonnaruwa.

There have been other reports that quite large number of Karuna's former followers are entering the Colombo city with their families. Most of them are moving in for reasons of security whilst the others want to leave Sri Lanka. A large number want to leave for India whilst others want to apply for visas to travel to European destinations.

The move has prompted intelligence cadres and LTTE's pistol gangs to hunt for them leading to a cat-and-mouse game in the city.

Karuna faction disperses

The much publicised rebellion by Karuna ended within three days of the LTTE mounting a major offensive

against Karuna's forces on Goof Friday 9 April when the rebel commander gave up offering any resistance to the advancing columns of the LTTE and asked his loyalist cadres to disperse and go home. By 12 April, Karuna's faction indicated to government forces that they were disbanding and no longer engaging the northern leadership of the LTTE.

"Over 400 to 500 in the Meenakam base were asked to go home," 16-year-old Tiger fighter identified as Arulmoli told AFP correspondent in Batticaloa after joining her parents. "We were the only ones left after the others fled." She said the entire rebel base near this eastern coastal town was disbanded but was not aware of the whereabouts of her former leader, Karuna.

Earlier, the LTTE had told the Navy and other armed forces not to interfere in its movements between the North and the East, as the conflict with the Karuna faction was an internal matter of the organisation, military sources said.

The warning came after the government had refused to grant permission for the transportation of 150 LTTE cadres from Mullaitivu to Illaggachchai in the Eastern coast by four sea tiger vessels.

The request had been conveyed to the government on 11 April but the government declined to grant permission. However reports from the East said Sea Tiger movements were took place contravening the ceasefire agreement. The Tigers had maintained that the Northern waters belonged to them and had warned the Navy not to intervene.

The LTTE ferried nearly a thousand crack cadres from Mullaittivu to Akkaraipattu in the Batticaloa district, a journey of some 200 kilometres passing Trincomalee and Batticaloa towns, while the Sri Lanka Navy was unable to do anything. Although the LTTE took care not to clash directly with the armed forces, thousands of cadres crossed government territory armed with everything from artillery guns to mortars without being challenged by government forces. A large force of over 60 boats of the LTTE is reported to have sailed down the East coast, when the coastline is supposed to be within the control of the Navy's gunboats, again with no resistance from government forces. These actions by the LTTE were regarded both by the government and Sri Lanka Monitoring Mission to be in violation of the Ceasefire Agreement and accordingly issued a statement to that effect, but it did not have any practical effect on the ground.

Some analysts have commented that an end to Karuna's rebellion could not have been militarily achieved so swiftly and decisively by the LTTE had the Ceasefire Agreement been rigorously enforced. But it was clear that had any attempt been made by the Sri Lankan military to enforce the Agreement, it would have probably led to a confrontation between the LTTE and the military thus precipitating full scale resumption of hostilities.

It seems clear that orders had given by President Chandrika Kumaratunga to the military to avoid not only taking sides between the LTTE and the Karna faction, but also not to confront the LTTE in such a manner as to provoke the LTTE into a direct confrontation thereby endangering the entire ceasefire.

Others opposed to the LTTE including local groups had hoped the military would cash in and support Karuna's group against the Wanni leadership. Given the possible repercussions, the President must have given directions to the military not to become victim of such a temptation.

Tigers' warning on weapons

The LTTE has warned people in the East not to collect weapons abandoned by Karuna's faction when its members made their escape before the onslaught launched by the Wanni leadership.

The warning came after people in Batticaloa had reportedly collected weapons and other equipment which had been abandoned by Karuna's loyalists. The LTTE statement said that belongings including weapons have been collected by unscrupulous persons and disposed of to unwanted parties and therefore people should understand that the properties of the LTTE are the properties of all.

"The belongings of the movement have been bought not merely for money but by shedding blood and sweat. The dreams and tears of the dead heroes are there in all property", the statement said. The LTTE Batticaloa-Ampara District intelligence wing had requested that if any property belonging to the LTTE is found anywhere such property should be handed over to the LTTE immediately. ❐

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In the aftermath of the election

Jehan Perera

Part I - Learning from UNP's electoral defeat

An international election monitor on duty in the north took a picture of Prime Minister Ranil Wickremesinghe hanging on a wall, a joyous one of a Sinhalese leader in a northern Tamil home. But the general election of April 2, 2004 has revealed Sri Lanka to be a fragmented polity, both politically and ethnically. The main casualty has been the UNP, which sought to lead the country to ethnic peace through compromise. The shocking defeats suffered by the UNP in its urban stronghold of the Colombo district, where it came third in some electorates behind the Buddhist monks of the Jathika Hela Urumaya, reveal that the UNP suffered an erosion even of its urban middle class support base.

The election results indicate that the UNP failed to keep its traditional urban Sinhala Buddhist middle class base. The fact that the UNP fell to third place behind both the UPFA and JHU in the suburbs of Colombo suggest that the Buddhist monks broke into the UNP's vote, rather into the UPFA's vote as had been anticipated. This leeching away of the UNP's middle class base cannot be due to economic factors as much as to the unhappiness with the concessions made to Tamil nationalism in the course of the peace process.

As the Colombo district was one that enjoyed the economic dividends of the past two years, the cause of urban disenchantment would lie in the peace process, and the widespread notion among Sinhalese that the UNP government was conceding too much to the LTTE. However, in other parts of the country, the erosion of support for the UNP would include the absence of the economic peace dividend, and the sense of neglect of the less privileged sections of society.

The main beneficiaries at this election have been the political parties that espoused ethnic nationalism without compromise. Foremost among these would be the JVP, which overshadowed its larger partner the PA, with JVP candidates getting on top of the list of candidates elected with the highest preferences in the UPFA. The JVP took an uncompromising stance against the peace process and the concessions made to the LTTE in it.

In the north east, the LTTE's proxy party, the TNA swept the polls among the Tamil voters, decimating its opponents, by virtue of LTTE assassinations and intimidation, by vote rigging and also quite possibly by choice.

However, outside of the northeast, the impact of the crushing victory obtained by the UPFA in most of the electoral districts has been moderated by the workings of the proportional electoral system. So much so, that the UPFA has been able to win only 105 of the 225 seats in Parliament. This has prompted some members of the former government, who won a total of 82 seats to seek to cobble together a majority from amongst the other ethnic minority parties, in particular the Tamil National Alliance which won 22 seats and the SLMC with its 5 seats. They would wish to complete their unfulfilled mission that they feel was unfairly cut short by the President's decision to dissolve Parliament a full four years before its term ended.

While the UNP already has a coalition with the Sri Lanka Muslim Congress, which is not controversial, any formal tie up with the TNA would be an entirely different matter. Having within it a party that it is negotiating with concerning the country's unity would be contradictory.

It would certainly lead the 8 Buddhist monks of the JHU to join hands with the UPFA. The main rationale for the entry of the Buddhist monks into politics was the erosion of the foremost place of Sinhalese Buddhists in the country by the peace process and Christian influence. The TNA's close relationship with the LTTE would make it difficult for the JHU to support any government that has a formal tie-up with the TNA.

Sweeping rejection

The inability to muster the required numbers from other parties in Parliament in order to form a coalition government is not the only obstacle that stands in the way of a UNP-led government. More important is the ground reality of a clear rejection of the UNP by the Sinhalese-majority electorate. In a large number of Sinhalese electorates the margin of defeat for the UNP was very large, and wherever it won, it was due to the relatively large proportion of minority voters in those areas.

Therefore, the relatively narrow gap in the number of seats won by the two sides in Parliament does not reflect the political reality on the ground of a sweeping rejection of the UNP by the Sinhalese majority. In this context a successful effort on the part of the UNP to cobble together a majority in Parliament would be met with anger by the Sinhalese electorate. The effort to thwart the will of the ethnic majority would lead to a mobilisation of the people against such a minority-dependent government.

Now that the UPFA has expressed its determination to form the next government, the better course of action for the UNP to follow at this time would be to behave gracefully, as indeed they did on the last occasion they were turned out of office in August 1994. Although a section of the UNP leadership at that time sought to cobble together a majority with the support of the minority parties, the UNP finally decided otherwise, and relinquished power gracefully. In addition, the UNP should offer to give the UPFA its full support for the taking forward of the peace process, and case- by-case support in the case of other areas of governance.

If the initial effort at cooperation proves successful, the UNP should be prepared to join a government of national reconciliation with the UPFA. This should be to seek a final solution to the ethnic conflict and the promulgation of a new constitution that satisfies all sections of the people. Of course

for such a national government there will need to be agreement on joint decision-making between the two parties as co-equals with regard to economic policy, ethnic policy and constitutional change to arrive at a lasting political solution to the ethnic conflict. On the crucial issue of the presidential system the decision on that could be left to emerge by consensus of all sections of the polity.

In opposition

In the meantime, during the time it spends in opposition, the UNP should look back at the past two years and reassess what it did and could have done better. The most important lacuna in the UNP government was the aloofness of its top leadership from the concerns of the Sinhalese masses, whether they were in respect of the peace process or their economic hardships. The perception of rigidity with which the UNP government sought to implement structural adjustment requirements, such as cutting back on welfare and agriculture subsidies, served to alienate the people from the government.

For instance, the government preferred to repay the Treasury's overdraft of Rs 38 billion that it inherited from the previous government in 2001, and bring it down to Rs 5 billion at the time of the present elections, rather than use that money for the people's direct welfare. This decision, and decisions similar to it were justified on the basis of good governance, and were supported by the technocrats of the international donor community. But what was technically and economically a sound strategy was politically a disastrous one. The people wanted the economic benefits of peace immediately, as they were poor and hungry today, rather than wait for a future that might never come to them.

Where the peace process was concerned the government failed to explain itself adequately to the people. This was repeatedly conveyed to the government by activists from civil society, who had many years of experience in working directly with the people. But the government seemed to think that the people would experience the fruits of peace for themselves, and find them very good. When the economic peace dividends did not materialise in the way the people anticipated, the government should have gone to the people and explained the complexity of the situation to them. Instead, the government abdicated its responsibilities to civil society organisations, which were unequal to the task.

By smuggling in weapons, recruiting children, assassinating its political opponents and the government's intelligence agents, and by boycotting the peace talks, the LTTE also did much to erode the credibility of the UNP government. Finally by coming up with an interim administration proposal for the north-east that had no role in it for the central government, the LTTE opened the door to the President to take control of the defense ministry and dissolve Parliament a full four years before its term. Now in negotiating with the UPFA the LTTE will find their hardline stance has given rise to another hardline stance, to the likely detriment of the peace process. Prior to recommencing the peace process, both the new government and LTTE will need to consolidate their stances on the ethnic conflict and its just solution within themselves. With the UPFA set to form a new government, the LTTE will face a formidable negotiating opponent, rather than a partner that the UNP's negotiators preferred to call them.

For the present the best that is likely to happen in terms of the peace process is its suspension, with a continuation of the ceasefire.

Part II - Arresting the slide towards breakdown

The two years of peace and stability that Sri Lanka enjoyed during the period December 2001 to November 2003 may be seen in retrospect as a period of unfulfilled hope and expectation in comparison with what is to come. During those two years the country went from war to peace with hardly any lives lost due to armed clashes, and from negative economic growth to strongly positive growth. The international community, with Norway as facilitator, stood ready with concrete assistance and pledges to lift Sri Lanka to a new plane of its peaceful and economic existence.

Thankfully, the outbreak of heavy fighting between the LTTE and its breakaway Karuna group in the east has come to an end without the bloodbath that was feared, though several civilians and fighters from both sides were killed in the fighting and several thousands of others were displaced.

However, the Norwegians may be feeling uncomfortable about their present situation, as the new government is composed of a political party, the JVP, which burnt the Norwegian flag, organised mass public demonstrations against the peace process and denounced Norway as being a biased facilitator.

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Over the past two years, the JVP demanded the withdrawal of the Norwegians from the peace process. They did not suggest an alternative, other than to imply that they could militarily defeat the LTTE if they were given the chance.

This is a dangerous and war-prone situation to be in. President Chandrika Kumaratunga, who is the governmental leader who first invited the Norwegians to play a facilitatory role four years ago, needs to reassure the Norwegians that they continue to have an important role to play as the facilitators.

The new Prime Minister Mahinda Rajapakse has said that India should play a greater role in Sri Lanka's peace process. There will no doubt be much support from sections of the polity for an enhanced Indian role to counter balance the dominance of Norway and other western countries in the peace process.

It is also reasonable to believe that India was not happy with the entry of so many foreign powers into the Sri Lankan peace process in an area that it considers to be its area of geo-political concern. In a similar manner the United States did not tolerate the intrusion of foreign powers into Cuba. However, those who advocate a greater role for India in the peace process should realise that India cannot play the role that Norway played.

India has the heavy baggage of its past to overcome, both in terms of having been clearly partisan to one side or the other, and also in having tried to mediate in Sri Lanka's conflict and having failed. Secondly, a facilitator or mediator needs to be acceptable to both parties. It cannot be acceptable to one party or one side alone. At the time of the President's invitation to Norway to facilitate in the ethnic conflict in 2000, and during the past two years, Norway's good offices were acceptable to both the Sri Lankan government and to the LTTE. It is unlikely that India, whatever its merits, will be acceptable to the LTTE as a facilitator at this time.

India has banned the LTTE as a terrorist organisation and its courts have a warrant out for the LTTE leader for the assassination of former Indian Prime Minister Rajiv Gandhi. While India's present attitude towards the LTTE is a matter for India, it does mean that India cannot be thought of as a facilitator in the present peace process.

But certainly India's geo-political concerns need to be always given priority by Sri Lanka's governments and we have to find our way out of the maze of conflict mindful of this major constraint.

President's responsibility

The new government has pledged to restart the peace process. For this to happen speedily it needs to be able to build on the foundations of the peace process that was laid in the past.

Building on the past is not in the Sri Lankan political tradition, which prefers the reinvention of the wheel, whether it is on matters of educational policy or social welfare. This is a tradition we can and must change if we are to progress as a peaceful and prosperous society. One of the most important foundations laid in recent times has been the ceasefire agreement and the role of the Norwegian facilitators in bringing it about together with the government and LTTE. Certainly there were shortcomings in the ceasefire agreement pertaining to both the monitoring of violations and preventing them, and also with the lack of emphasis given to the protection of human rights within the peace process. There was also the major shortcoming that the Executive President and the major opposition party in Parliament were left out of the peace process.

While the shortcomings need to be rectified, the agreement itself needs to be built upon rather than being renegotiated in toto. After the general elections the foremost responsibility for deciding on the course of the peace process would lie with President Chandrika Kumaratunga. The fact that she has kept the constitutional affairs ministry under her purview and not appointed a cabinet minister to that post suggests that the President plans to have a hands-on approach to the peace process. As both the very powerful executive president of the country and the leader of the victorious United People's Freedom Alliance, she has the most influence in shaping the future course of Sri Lanka's politics in general. She could start her conflict resolution initiatives on a positive note by acknowledging the breakthroughs achieved by the previous government's peace process.

Another important actor in the conflict resolution process would be the former Prime Minister and leader of the UNP, Ranil Wickremesinghe, who can make the task of conflict resolution easier for the President if he is prepared to give his party's backing for them. The former Prime Minister will be credited always for being the leader who brought the war between successive governments and the LTTE to a halt with a ceasefire.

The genuineness of his endeavours would become transparent to the people, should he be prepared to support any endeavour of the new government that seeks to obtain a political solution to the ethnic conflict by means of consensus. The question always is whether Sri Lanka's political leaders can transcend the desire to obtain political power at the expense of the interests of the people at large. The desire for credit, to enable them to capitalise on it to win the next elections, has been an inexorable need on their part. But the current volatile situation in Sri Lanka does not permit long term planning where political aspirations and ambitions are concerned. There is also a need for a new beginning, based on mutual sacrifice and mutual gain, if Sri Lanka is to achieve its full potential as a vibrant democracy and economy.

In one of his early statements shortly after signing the ceasefire agreement with the LTTE, the former Prime Minister said he wished to take a step by step approach to resolving the ethnic conflict, not asking to see "the distant scene." The spirit of magnanimity with which Sri Lanka's leaders approach the resolution of the country's problems can make the difference between the success of its peace process or its breakdown. ❐

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Towards the abyss through elections

Dr. S. Narapalasingam

AS expected no party obtained the absolute majority to form a stable government at the April 2 parliamentary elections. The UNF government was defeated by a wide margin having won only 82 seats while the UPFA led by President Chandrika Kumaratunga secured 105 seats. The latter failed to get the 113 seats needed to secure a simple majority in the 225-seat State Assembly. Even at the previous elections held under Sri Lanka's peculiar PR system introduced in 1978, the winning side secured only a slender majority. The UPFA won in 106 out of a total of 160 electorates in the entire country. The Freedom Alliance obtained 4.2 million votes while the UNF received 3.5 million votes. President Kumaraunga was quick to point out that "this would have amounted to a two-thirds majority in Parliament, under the first-past-the-post electoral system."

This is not a new finding, it was evident in 1994 as well when her PA (a coalition sans the JVP) secured considerably more votes than the UNP but ended up with a slim majority. Two factors have contributed to the latest result with neither the SLFP-led nor UNP-led coalition getting even the threshold 113 votes. One is the rapid rise in popular support for the JVP and the other the entry of several Buddhist monks in the contest.

Sinhala nationalism

For the first time Buddhist monks have been elected to the Parliament as members of an all-clergy party. The Jathika Hela Urumaya (JHU) the successor to the Sihala Urumaya that fielded solely Buddhist monks in the parliamentary elections has won 9 seats. The newest party was formed only few weeks before the poll. The party is committed to the protection of the Buddha Sasana and the promotion of a unitary state. According to the JHU leader Ven. Ellawala Medhananda Thera, the monks have decided to remain neutral in parliament and "will use the people's mandate to work towards building a Dhammarajyaya." At the post election media briefing the Thera said: "Now we have become the deciding factor in parliament."

The party has declared that it would extend full support to the UPFA government only if the latter accepts what the Bhikkus describe as "non-negotiable demands". These include the acceptance of the "unitary" status of the country, de-merger of the North and East and pledge not to adopt a Federal Constitution. The JHU also rejects the claim that the LTTE is the sole representative of the Tamils and is against negotiating solely with the Tigers.

Prof. S. T. Hettige in his analysis 'Beyond electoral politics' published in the Daily News (April 13) has observed: "It is clear that the majority of those who have voted for JHU are not Sinhala nationalists: many of them are, in fact more privileged urban middle class voters who can survive under any economic regime. In a way, they appear to have betrayed the hapless rural voters who have been adversely affected by the economic and social policies implemented by the UNP regime.

These lower class voters in rural areas needed a stable - social democratic regime in Colombo but what we are going to have in the immediate future is far from a stable regime that can take decisive measures to address their problems. Those who voted for JHU are largely responsible for this state of affairs."

This is very true but in addition the consequences are more extensive and far reaching particularly if this is the sign of future trend in electoral politics. Unity in a plural society cannot be built and preserved if nationalists have an important role in decision-making. Peace cannot be had without unity. And without peace rapid development and prosperity that the country needs desperately will remain a mirage.

The centralist Janatha Vimukthi Peramuna (JVP), the powerful junior partner in the new government, also wants to promote and protect the unitary state. Out of the 105 UPFA members elected at the poll, 39 are from the JVP. In 9 districts, the JVP's candidates stood first in terms of preference votes. The rapid growth in popular support for the JVP can be seen from the fact that in 1994 elections it won only one seat. In October 2000 elections it won 10 seats, in December 2001 elections it increased its tally to 16 and now to 39 seats. On the other hand the SLFP-led PA's tally has declined from 77 in 2001 to 66 in 2004.

The April 2 parliamentary elections besides reiterating the obstructive nature of the current PR system in electing a strong government have also turned the new parliament into a highly polarized assembly. Besides the usual animosity between the two main parties that has obstructed the resolution of national issues, the sharp division along ethno-nationalist line is another troublesome factor that threatens to thwart the resolution of the ethnic issue that has deprived the country of peace, progress and prosperity. Interestingly, the common aim of all the parties is the realization of permanent peace in the island ruined by prolonged separatist war through negotiated political settlement!

The contradictory stands of the two coalition partners in the UPFA on the ethnic issue relate to the fact that the SLFP believes in political devolution for the Tamils as a way to resolve the ethnic conflict, whereas the JVP believes in administrative decentralisation and nothing more. In a recent interview with the BBC, the JVP leader Somawansa Amarasinghe told: "We believe federalism or devolution of power has nothing to do with this problem. What is important is to restore democracy and equality." Even before the UPFA government has started to function, differences over the appointment of the new Prime Minister and subjects allocated to the 4 ministries assigned to JVP members have caused resentment. The JVP leadership has faulted the President for not deciding in consultation with the JVP on such vital matters.

According to press reports, JVP Propaganda Secretary Wimal

Weerawansa and politburo member Nandana Gunatillake who declined to accept portfolios in the new Cabinet will head a party committee to monitor the way the UPFA government functions. This committee has been instructed to ensure that the UPFA government would implement the policies outlined in the SLFP-JVP election manifesto. Addressing party supporters at the meeting held on April 10 to mark the 33rd anniversary of the April 1971 insurrection, JVP Leader Somawansa Amarasinghe warned the SLFP of serious consequences if it did not act properly and genuinely in government fulfilling its role. He said in this event, "the JVP would back public protests to win the rights of the people". All these indicate JVP's special role in the UPFA government, which it has assigned to itself. Nevertheless, compared with the JHU, JVP's stance on the ethnic issue looks less strident.

Tamil nationalism

The Tamil National Alliance put forward by the LTTE as their proxy in the elections secured 22 seats with the extraordinary help of the LTTE. The TNA had 15 seats in the last parliament. In the Jaffna district the TNA won 8 out of the 9 seats. According to LTTE sources the TNA won with 90 per cent popular support, though according to some independent observers the poll in the region was not 'free and fair' and charaterised by massive malpractices and impersonation. This impressive victory is claimed by the Tigers to have sent a loud and clear message to the Sri Lankan Government and to the international community that (a) the Tamils are under one leadership of the Liberation Tigers of Tamil Eelam (LTTE); b) the right of self determination of Tamils to be a distinct people with their traditional homeland in the northeast region should be recognized; and c) the proposals submitted by the LTTE for an Interim Self Governing Authority (ISGA) for the reconstruction and rehabilitation of the northeast should be accepted and put into effect early. From the very outset the LTTE have made it known that they regard the April 2 poll as a referendum on these basic demands on which the continuation of the peace process depends.

The joint statement issued by the 20 new TNA parliamentarians (the two 'National List' members were not named at that time) stated they contested the elections on firm policies that included the setting up of an Interim Self-Governing Authority for the North-Eastern region at the earliest with substantial powers of governance as detailed in the document presented to the previous government on 31 October 2003. Since "normalcy has not returned to the lives of the Tamil people in the North-East, though more than two years have lapsed since the ceasefire agreement and the stoppage of the war", it is vital that the proposed Authority should be set up for the resettlement of thousands of displaced Tamil civilians in their homes in the North-East and for rehabilitation as well as for rebuilding and reconstructing the devastated North-East.

The joint statement also stated they are "irrevocably committed to self rule in a unified north-eastern region, which has been the acknowledged historical habitation of the Tamil speaking people. This has been the political aspiration of the Tamil people for over the past fifty years (since the Ilankai Thamil Arasu Katchchi was formed). All members of the TNA contested this time in the name of this party and under its (House) symbol. The TNA members also undertook to "strive both within Parliament and outside, particularly to muster the support of the international community to ensure that negotiations commence with the LTTE."

As mentioned before, the JVP has threatened to back mass protests if the new government fails to implement the policies in the UPFA manifesto. On the other side, the LTTE has warned that if the verdict of the Tamil people is ignored and the conditions of oppression continue they have no alternative other than to secede and form an independent state invoking the right to self-determination. Confrontational politics seems to have acquired another dimension and vigour.

The emphasis given to regionalism as against Tamil nationalism by the renegade Batticaloa-Amparai Tiger commander 'Col.' Karuna, the nom de guerre for V. Muralitharan in the interview the well-known correspondent Bandula Jayasekara had with him was clearly evident. The interview took place in the Batticaloa district before Prabhakaran's group launched the assault on April 9 (Good Friday) 'to get rid of Karuna from the Tamil homeland'. When asked what he meant by 'Southern Tamil Eelam' he replied: "It does not mean a separate state. But, our aspirations can be fulfilled within a unitary state." He also stressed the need for the participation of representatives from the Eastern province in the negotiations "as the regional rights and aspirations of the people in the province cannot be articulated well by others".

The renegade Tiger rebels gave up the fighting that lasted four days and disbanded in the face of a well-coordinated onslaught by the Tigers under Wanni leadership. Many warriors including child soldiers are now back in their homes while others excepting the few who fled with Karuna have rejoined the main group. Nevertheless, the internal feud has brought to the fore the regional factor that has hitherto remained overshadowed by nationalistic feelings. The regional factor cannot be ignored in future negotiations. It is easy to find a viable political solution to the ethnic conflict within one united country retaining its unity, territorial integrity and sovereignty giving importance to the regional factor but not when ethno-nationalism overrides other concerns.

Tamil nationalism emerged as a

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major issue in politics only in the post-independent period. It is the natural response to Sinhala nationalism manifested in the discriminatory policies and practices of successive governments since the mid 1950s including development policies and programmes. Sri Lanka now finds herself in a muddled situation as a result of the growth of mutually dependent Sinhala and Tamil nationalism. Extreme party politics and political opportunism that contributed to several missed opportunities for settling the conflict during the early stages have led to the present predicament.

Irreconcilable stances

Ranil Wickremesinghe's UNF government approached the peace process not with the view to settle the conflict but to manage it on a day-to-day basis. The main aim was to deter the resumption of the hostilities suspended with the signing of the ceasefire agreement on 22 February 2002. The former Prime Minister held the view that it is not possible to reach a political settlement acceptable to both Sinhalese and Tamils because of their attachment to ethno-nationalism. Hence the emphasis was placed on conflict management as against conflict resolution. The peace talks between the Government and the LTTE along with various facilities provided by the State to the Tigers served to sustain the superficial peace.

President Chandrika Kumaratunga has been highly critical of the strategy used by the previous government to appease the Tigers saying that the national security was being compromised. Apparently, this disagreement has been influenced largely by the power struggle between the leaders of the UNP and the SLFP. National security consideration was not the real reason. Her aim to seek a constitutional settlement has remained unchanged which she hopes to achieve in consultation with all parties including the LTTE. This is possible only if both sides abandon their affection for ethno-nationalism.

Successive governments were not interested in nation building and national unity given Sri Lanka's multi-ethnic, multi-religious and multi-cultural features. They continued to indulge in divisive politics without any concern for ethnic peace. There was the apparent reluctance to act contrary to the notion that Sri Lanka is a Sinhala-Buddhist nation. As a result Sri Lankan society is now highly polarized without a common national identity.

If a political solution acceptable to all ethnic communities is to be found, then it is important that regional instead of nationalistic considerations should be at the centre of the negotiations. Given the present complex situation resulting from the presence of strong centralist and nationalist forces in the new Parliament, the UPFA government's approach to negotiations has little chance of success. It is in this context the appeal for India's direct involvement in the peace process must be seen. Even here the chance of success is high if the two main parties in the national interest stop bickering and agree to the bipartisan approach that has been the fervent desire of the people since 1994.

A 'more direct role' for India

The new Prime Minister Mahinda Rajapakse wants India to play a 'more direct role' in the efforts to resolve the conflict with the LTTE. The Indian High Commissioner Nirupam Sen, when he met Sri Lankan Minister Lakshman Kadiragamar admitted "India has so far not played a direct role in Sri Lanka's peace process, concentrating instead on strengthening the enabling framework within which negotiations took place". He also said that India could directly aid in rehabilitation work in the North East. After the meeting the High Commissioner told reporters India had ''some ideas on how India could be more directly involved in Sri Lanka's peace process" but did not elaborate.

The general thinking is India, regardless of any form of direct involvement in the peace process will insist on certain 'bottom lines' which includes a requirement that any autonomy ceded to ethnic Tamils does not result in political sovereignty. Perhaps it is this view that has induced the JVP to change their attitude towards India. In the late 1980s, the Indian role in the ethnic conflict was viewed with suspicion. In 1989, massive protests and violent agitations led by the JVP demanded the expulsion of the IPKF from Sri Lanka. The presence of the IPKF on Sri Lankan soil was regarded as sign of India's expansionist ambitions. The JVP is now even backing strongly the proposed defense pact with India.

Another factor that is relevant to the current move to get India involved more directly is that the then Congress government succeeded in persuading the leaders of Tamil nationalist movements, Dravida Kalagam led by EV Ramasamy Periyar and Dravida Munnetra (Progressive) Kalagam led by C N Annadurai to drop the demand for separation and instead meet the nationalistic aspirations of the Tamils within India's quasi-federal constitution. For instance, the south Indian Tamil state was named Tamil Nadu and later the capital Madras renamed Chennai. The language of administration is Tamil and for all intents Tamil Nadu enjoys autonomy and importantly the control the centre has over the state does not affect the day-to-day lives and the well being of the people.

The western countries pressing for early talks between the new government and the LTTE seem to have little knowledge of the ground realities in Sri Lanka. The previous government planned its approach to peace in order to please these countries and obtain the much-needed foreign aid. India is the only country that has full knowledge of the ground realities in Sri Lanka. Given India's past bitter experience with direct involvement in Sri Lanka's ethnic conflict, New Delhi will step in this time only if the conditions are right.

The outlook

At present with visible cracks in the UPF Alliance government and no sign of long-term political stability suitable conditions do not exist. Moreover, the President is keen on changing the present constitution first from the Presidential system to parliamentary system. The executive powers of the President will be transferred to the Prime Minister under the revised constitution. The UPFA government intends to implement this election promise by convening a Constituent Assembly consisting of the newly elected Members of Parliament. Former Prime Minister Ranil Wickremesinghe tried to act bypassing the relevant provisions of the present constitution on the premise his party had received the mandate of the people

(continued on next page)

From the Election Pan to the Constitutional Fire

Rajan Philips

"President kick-starts constitutional reforms", reported the Ceylon Daily News of 13 April. Not a bad metaphor for describing any of President Kumaratunga's actions. The action in this instance was limited to the news story that she "presided over the first round of discussions on constitutional reforms, attended by close advisers and legal consultants". Conspicuous by their exclusion were elected members of parliament from any of the political parties. This seems odd given that the proposed constitutional exercise is intended to be the task of the 196 elected and 29 national list parliamentarians convening themselves into a constituent assembly in keeping with the "expression of the political will of the people". An undiplomatic question would be whether the constituent assembly is really meant to be the facade for a presidential cabal? To criticise the President's cabalistic approach to constitutional reform is not to question the motives of her advisers, especially the academics among them and who are often maliciously criticised as lapsed Buddhists and converts to federalism on account of their principled position on the Tamil question. But it has to be pointed out that a cabalistic approach to constitutional change, no matter how good the intentions of some members of the cabal might be, is not dissimilar to Ranil Wickremasinghe's exclusive and extra-parliamentary handling of the peace process, and is equally not without the danger of ending in defeat and discredit.

The President's ostensible reasons for and her approach to constitutional change are questionable at best, while her real reasons are patently personal. Her ostensible reasons are that the current (1978) constitution is unchangeable and is not conducive to effective governance. Her approach is to use the constituent assembly model of the 1970s, claim the April parliamentary election as her mandate, and present a new constitution for approval by the people at a referendum None of these premises will bear even the minimum of scrutiny. There is no disagreement that the present constitution requires changes, but the question is to what extent should it be changed, and how? The question also is what changes should be given priority over others. Comprehensive constitutional changes, unlike specific amendments, are fraught with unintended consequences. If the demand for Eelam was the unintended consequence of the 1972 constitution, constitutional stalemate and confusion have been the unintended outcomes of the 1978 constitution. The question then is whether undertaking incremental changes to the current constitution, or comprehensively overhauling it, should be the preferred approach to constitutional reform. Equally important, the political circumstances in 2004 are fundamentally different from those that gave rise to the 1972 and the 1978 constitutions, and it will not be prudent to assume that the model of 1972 can be successfully used to modify the constitution of 1978.

There appears to be a rather fanciful assumption that merely by being seated in a 'constituent assembly' the current fractious group of parliamentarians would magically become amenable to consensus and easy agreements on contentious issues. As experience elsewhere would show, constitutional issues are the last matters on which politicians would ever agree. Constituent assemblies work best when they are not limited to politicians, are inclusive of the intelligentsia and stakeholder interests not represented in the elected bodies, are convened in the wake of a major change on the political landscape (national independence or a social revolution), and are predicated on a set of organizing principles over which there is some agreement in society. These are not circumstances that usually follow adversarial and bitterly contested political elections. When the Constituent Assembly was convened in 1970, the then Senator and well known civil rights and constitutional lawyer, the late S. Nadesan Q.C., became inspired enough to write a virtual 'handbook' for the assembly and plead in vain that the members of the assembly be seated not according to party affiliations but the alphabetical order of their names, and that they function and deliberate not according to the party line but their own counsel on specific matters. None of it happened, of course, and the 1972 constitution was steamrolled by the United Front majority, true to Dr. Colvin R. de Silva's pre-election prediction that under "under a United Front

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and ended by creating a political crisis. And now the President's argument that her UPF Alliance has the mandate to abolish the Executive Presidency because it obtained 700,000 more votes than the UNF is fraught with high risk.

The Tamil National Alliance is unlikely to participate in the deliberations of the proposed Constituent Assembly if the aim is merely for the purpose of abolishing the Presidential system. They will extend their support if the change is comprehensive and includes particularly the structural reform needed to grant extensive autonomy to the North-East as demanded by the LTTE. The UNF will also oppose the move though not for the same reason.

Those who consider themselves national leaders do not seem to have learnt any lessons from the three parliamentary elections four years and events that led to the latest April 2 elections and importantly the indecisive outcomes from this excessive indulgence in electoral politics. Even as the newly formed UPFA government is engrossed in resolving the divisions within its ranks, the opposition UNF is conspiring with its allies to bring the government down as soon as possible without realizing that another poll that can be called after one year will not save Sri Lanka from sinking further down the abyss under the existing political system and political culture. ❐

Government, parliamentary democracy will be characterised not by consensus but by leadership". Parliament and other political Parties had even a lesser role in the Select Committee process that the UNP's J.R. Jayewardene used to ring in his constitution in 1978, except to rubber-stamp what had been decided by the Party leadership. On the final count on both occasions, the respective Opposition Parties (the UNP and the SLFP) proclaimed that they were not supportive of the governing party's constitution and served notice that they would move to change the constitution when their turn came. The main Tamil Parties also registered their own protests and proclaimed the Tamil right to self-determination and separation. Have President Kumaratunga and her panel of advisers forgotten everything and learnt nothing from our not too edifying saga of constitution making?

I will not be concerned here about the many legal road blocks that the proposed approach will inevitably run into, but only with its political implications. Politically, this same approach would have been more defensible in 1994, when Kumaratunga won both the parliamentary and the presidential elections, when her idealism was still in tact, her victory more definitive, her mandate more credible, and her motives were not tainted by considerations of political continuity. After ten years of at best a dubious record as President, she wants to terminate that institution at the same time as her tenure of and her eligibility to hold it comes to an end. In the new set up that she is proposing, she will slide without interruption from the executive presidency to an executive premiership. If she succeeds, she would only be changing her constitutional pillows without curing the country's political headaches.

As evidence of their mandate, the advocates of the new approach are suggesting that the UPFA has in fact won a two-thirds majority by coming first (under a first-past-the post assessment) in 106 of the country's 160 electoral divisions, and in 14 of the 22 electoral districts. With this type of argument, the 105-strong UPFA parliamentary group does not require the support of any of the other 110 MPs to elect its own speaker, pass its budgets, declare emergencies, and even adopt a new constitution! If in doubt, the President can hold a referendum, and in Sri Lanka who else will win a referendum except the governing group that calls it. And the President is reported to have pontificated that "none of the Constitutions, including the 1972 Constitution, the 1978 Constitution, or the 13th Amendment which devolved power to the Provincial Councils, had been approved by the people voting thereon, whereas the proposed new constitution will, for the first time ever, before the people prior to enactment".

Well, when it comes to having her way, constitutionally or otherwise, Chandrika Kumaratunga comes closer to J.R. Jayewardene than to either of her parents or any other preceding government leaders. "Hitler used it four times", Pieter Keuneman reminded fellow Sri Lankans, during the infamous Jayewardene referendum of 1982. A. J. Wilson has opined that the referendum requirement in the Jayewardene constitution is one of its significant defects. In the years after 1994, those who suggested an extra-constitutional approach to amending the constitution were more concerned about the referendum requirement than the two-thirds majority requirement in parliament, for a majority plebiscite is not the most appropriate way of defining the rights of minorities, let alone dealing with claims to self-determination. In the corrosive climate of 1987, the 13th Amendment may not have won a majority vote in most of the 17 Sinhalese-majority electoral districts.

That raises the question - what would be the fate of the 13th Amendment in the proposed constitutional set up? The UPFA manifesto, while reaffirming the current constitutional position that Sinhala and Tamil are official languages with English as a national language (one would have thought that Sinhala and Tamil are more national than English!), is silent on the future of the Provincial Councils and the scope for further devolution. Obviously, this silence is a reflection of the agreement between the SLFP and the JVP to disagree on the question of devolution of powers to the Northern and Eastern Provinces. But by being silent, neither the SLFP nor the JVP can avoid the question. One would hope that there is no intention to relegate the Provincial Council clauses of the 13th Amendment to a subordinate status, just as the 1972 Constitution similarly relegated the Tamil Language Special Provisions Regulations that had been previously endorsed both by S.W.R.D Bandaraniake (1958) and Dudley Senanayake (1966).

In 1994, under popular grass-roots pressure, the PA government abandoned the idea of partially amending the constitution to end the executive presidency without including changes to the unitary character of the constitution. At that time, some of us thought that not moving to end the executive presidency at the first possible opportunity was a tactical mistake on the part of the PA leadership. That was then, and perhaps the SLFP leadership was not too keen to give up the presidency. Ten years later, President Kumaratunga seems eager to commit a graver strategic mistake in the opposite direction, by opting to leave out of the proposed constitutional reform the question of devolving power to the Northern and Eastern Provinces. She cannot cavalierly ignore all the developments since 1994, the accumulation of alternative development proposals under her own PA government, the universal desire to continue the current cease fire arrangement, the Oslo commitment by the Sri Lankan government and the LTTE to explore a federal solution within a united Sri Lanka, and the LTTE's proposal for an Interim Self-Governing Authority (ISGA) in the North and East, and treat the peace process and the devolution question as of secondary importance to her personal agenda of ending the presidency and changing the proportional system of representation. Already, there is skepticism among many sections of Tamil society, even among those who are not supportive of the LTTE, about the sincerity of any Sri Lankan government in regard to devolving power to the Northern and Eastern Provinces. Their skepticism is justifiably based on the experiences of the last four years. The UNP, while in Opposition in 2000, burnt copies of Kumaratunga's draft constitutional proposals for devolving power. For her part, Kumaratunga sacked three UNP cabinet ministers two days after the LTTE had submitted its ISGA propos-

als to the Wickremasinghe government, precipitated a premature election, and is now claiming that she has a mandate to change the constitution but only selectively in the first phase, leaving the Tamil question to a later phase.

President Kumaratunga has no monopoly over claiming a mandate in the proportionally fractured new parliament. Indeed, there could be multiple mandate claimants. The Monks of the Jathika Hela Urumaya, having won 70% of their half a million votes in just four urban districts and primarily at the expenses of the UNP, have their own righteous mandate. The defeated UNP, which still has the largest (over 3 million) vote base among the Sinhalese, curiously does not seem to be sure of what mandate it sought at the hustings and what it eventually got. The JVP as the real winner in the South has asserted its own mandate within the UPFA, in regard to the allocation of ministries and assignment of subjects and functions under them. There is no overestimating the JVP's achievement in this election, with an impressive seat tally of 39 out the UPFA's 105 seats and a likely doubling of its vote from the 815,000 it polled in 2001. The JVP's expansion has come almost entirely at the expense of the SLFP, the real loser in the election. Those who try to argue that the UPFA has won 106 out of 160 electorates, should really explain how President Kumaratunga could claim a mandate to change the constitution at her pleasure, when her own Party, the SLFP, has suffered a very remarkable electoral setback.

The presidential apologists should also clarify how they would fit into their mandate calculations, the verdict of the Tamil and Muslim voters in the two Northern and the three Eastern electoral districts. The Tamil National Alliance (TNA), sponsored by the LTTE, won over 75% of the votes in the North and 38% of the votes in the East, and 52% overall in the two Provinces. It won a tally of 20 seats out of 31, excluding the national list allocations. The Sri Lanka Muslim Congress (SLMC) won 25% of the votes in the East. The TNA's success is not unblemished, given the allegations of election malpractices especially in the North. Twenty seven years ago, in 1977, the TULF won a similar victory quantitatively, but without any blemish qualitatively. But that mandate was taken lightly in the South, and the TULF was humiliated in and out of Parliament. Much water has flowed since, in Parliament, and more blood outside. President Kumaratunga should not lightly repeat the old mistake - as Justice C.V. Vigneswaran memorably put it - "where the majority in two provinces were added to the majority in seven provinces and thus made into the minority in nine provinces". ❐

Karuna's revolt ends after deal with LTTE

D.B.S. Jeyaraj

The eastern revolt against the leadership of the Liberation Tigers of Tamil Eelam (LTTE) led by Vinayagamurthy Muralitharan alias Karuna ended on Easter Day (April 11) after the former Batticaloa - Amparai commander made a discreet deal with the estranged Tiger hierarchy based in the northern mainland of the Wanni. Karuna had already suspended fighting the previous day which was also Holy Saturday according to Christian tenets.

Hostilities had commenced in the early hours of Friday April 10 observed as Good Friday by Christians all over the world including the Eastern Province of Sri Lanka. According to knowledgeable sources, the settlement was worked out primarily by an important and well-known personality based in a Western country deeply involved with the Sri Lankan peace process. Other well-meaning individuals in Sri Lanka and abroad ranging from clergymen to journalists were involved too at different levels and in different degrees. The objective was not political but deeply humanistic.

The lives of LTTE cadres on both sides, the safe return of child conscripts to their homes, safety and peaceful life of civilians and the overall impact on the east were the issues at stake. It is therefore a matter of great satisfaction for those that strove hard to end this intra-Tiger conflict peacefully that Karuna as well as the LTTE hierarchy took into account all the ramifications and decided in the best interests of their cadres, people and themselves to end the armed hostilities.

The arrangements

According to the arrangement worked out, Karuna was required to provide and deliver on certain undertakings.

- To cease fighting permanently.
- To disband and disperse his forces and send them home.
- To facilitate arrangements for the smooth handing overof military assets including arms, armaments and ammunition to the LTTE.
- To release all Tigers and supporters in Karuna's custody safely
- To vacate "the soil of Tamil Eelam" (North – Eastern Province) immediately and never return to it again.
- To refrain from any direct or indirect military orpolitical activity in future..
- To maintain silence about all matters concerning the LTTE and avoid all related media publicity.
- To seek a new life outside Sri Lanka as early as possible.

In return for compliance with the above conditions on Karuna's part, the LTTE leadership undertook that the LTTE:

- Will not deter Karuna leaving the east or Sri Lanka.
- Will not try to eliminate him while in Sri Lanka or abroad.
- Will not demand return of any money or things of valuetaken away by Karuna.
- Will not harm all cadres under Karuna's control and allow them tc return to a normal life.
- To reabsorb only those cadres willing to rejoin the movement.
- To refrain from punishing all senior cadres who stood by Karuna agains: the LTTE leadership.
- To permit them wherever possible to leave the east and Sri Lanka.
- To refrain from taking revenge on

eastern civilians who supported Karuna and engaged in acts like burning effigies, destroying Tiger offices etc.

Once this arrangement was agreed upon, Karuna formally called off his revolt and ordered his cadres to hand over their weapons, uniforms, cyanide capsules, and identity tags etc and go home. The process began from Easter Sunday (11 April) morning onwards and ended on Monday (12 April). Karuna himself left Batticaloa on Monday for Colombo. He is expected to travel to a South East Asian country shortly.

The chief reason for Karuna calling it quits after engaging in quite a lot of bravado was because of two over arching factors. One was that he had been outsmarted and checkmated by the LTTE leadership on a number of fronts. The second was a practical dilemma where he was confronted with difficult choices. Long simmering tensions between Karuna and the LTTE leadership reached a flashpoint on March 1 this year when Karuna arrested a number of intelligence wing operatives working in the east under the command of Pottu Amman. They had been summoned for a meeting at 'Thenagam' the LTTE political headquarters at Karadiyanaru. Among them was the Deputy Chief, Intelligence, Sinnathamby alias Neelan.

Emergency summit

Karuna and Paduman the Trincomalee District head were immediately summoned to the Wanni for an emergency summit. Karuna had been asked to come from last year to face several disciplinary charges but had refused to do so. Paduman went over on March 2 to Kilinochchi and was quickly relieved of his post as it was feared that he would align with Karuna. Sornam was appointed Trincomalee chief on special assignment. Karuna then revolted openly.

On March 3 he informed Norway officially of his stance and wanted Oslo to negotiate a separate agreement between him and the Colombo government. He claimed that he was for peace and development. Karuna hoped to be recognised as a distinct eastern entity on par with Velupillai Pirapaharan. Karuna was at a great disadvantage because of the timing. Had the war been on at the time Karuna rebelled against Pirapaharan the eastern leader would have been eagerly welcomed by Colombo. Unfortunately for Karuna it was a time of peace.

The LTTE was still firmly involved in the peace process and was adhering to the ceasefire vis a vis Colombo. There was no room for Karuna to manoeuvre in that situation. The big powers, global and regional as well as the facilitator Norway judged the Karuna revolt only in terms of its impact on the peace process. Despite the pro-Tiger elements shouting themselves hoarse about an external hand being involved, the revolt was essentially home grown. The danger was that some extraneous force could exploit the situation later.

But with the LTTE remaining in the process and threatening to revise its stance if Colombo or any other force was seen to back Karuna the options for the renegade leader became limited. In a bid to appease the Tigers and preserve the peace process everyone abandoned Karuna. The worst offender being the monitoring mission which in a betrayal of its mandate suspended activity in the eastern areas controlled by Karuna.

The harsh home truth for Tamils and Muslims living in the north - east is that Colombo and the international community is only concerned about the LTTE not breaking the ceasefire and resuming fighting. As long as this is not done the Tigers can do many things with impunity. Some 'token' protests would be made and nothing more.

The assassinations of EPDP and EPRLF (Varathan wing) cadres, killing of civilians, conscription of minors, extortion and related abduction, the denial of democracy, the manipulation of the electoral process, etc are all clear examples. Now it was Karuna's turn. As long as the armed forces were not drawn into the conflict even the wholesale massacre of young innocents on Karuna's side by the LTTE would not have mattered.

No help for Karuna

Karuna realised belatedly that he would not be getting any help from any external source in attling Tiger onslaughts. Then came the long awaited Tiger attacks. Karuna could not hold them off at the district's borders or adjacent areas as he had intended to do earlier. The Tigers militarily outmanoeuvred him. There was also no possibility of external assistance. Even the eastern coast was not under his control. Complicating matters further for Karuna was the composition of the Tiger invasionary force. It consisted mainly of eastern cadres (85% - 90 %). The clashes at Verugal demonstrated that the invaders could be ruthless notwithstanding regional affiliations. Several cadres belonging to Karuna were massacred in cold blood in the Verugal area. This is an ugly fact that the LTTE is suppressing from coming out. In addition there have been quite a lot of casualties on both sides. Certainly more than the four or five "martyrs" whose names were released officially by the LTTE.

The damage on Karuna's side too is great. In keeping with typical Tiger conduct neither the LTTE mainstream nor the rebel faction acknowledge the loss of lives openly and may even deny it but the truth will not go away. Against this backdrop of being outsmarted by the LTTE, Karuna faced a difficult choice. After the initial debacle Karuna ordered all his cadres to fall back to certain areas. These were essentially areas in Paduvankarai to the west of the lagoon like Kokkatticholai, Karadiyanaaru, Aayithiyamalai and the hinterland areas of Tharavai, Vadamunai, Kudumbimalai (Thoppigala) etc.

With around 3500 to 4000 fighters in a fortified rectangular stretch of territory having jungles and hills there was a chance of prolonging the fighting. Karuna's military headquarters base 'Meenaham' as well as his jungle base 'Marutham' were in this area.

The practical problem was that without external assistance serious logistical problems would have occurred. The Tigers would have steadily cut off all supplies. This would have created major difficulties like shortage of provisions, ammunition, fuel etc. Moreover, the fighting would have been fierce resulting in a lot of casualties. The ferocity displayed by the LTTE at the Verugal area showed that they would be equally harsh in the fighting here. It did not matter to those eastern cadres fighting on behalf of Pirapaharan that the opposite side consisted of eastern children of the soil too. What mattered was victory at any cost notwithstanding the massive publicity given in LTTE media about the Tiger national leader Velupillai Pirapaharan having instructed cadres to retrieve the east without bloodshed.

But in Karuna's case he had taken the

moral high ground by supposedly fighting for the eastern Tamil against Northern domination. He was therefore bound to the well- being and welfare of the Eastern Tamils. Ultimately it would not matter who won because the casualties on either side would be from the east. One of the reasons trotted out by Karuna in explaining the split was his refusal to send 1000 Eastern cadres to the Wanni. Karuna said that he would not allow Eastern cadres sacrificing their lives unnecessarily. The tone and tenor of his rebellion seemed to be a desire to end deaths on the battlefield.

Moral dilemma

Moreover Karuna had a moral dilemma. His justification for the revolt was that the east needed peace to prosper. He had gone on record publicly that he did not favour war. But now war had caught up with him. If the conflict continued much of Batticaloa's youth would be decimated. The lives of the people and their way of life could be endangered. What a cruel irony for a man who wanted peace and prosperity for his people to cause just the opposite of that. Karuna was also besieged by several parents of the children in the LTTE. The parents were not only those fighting on Karuna's side but also of those Batticaloa men fighting on Pirapaharan's side too. As an irate father told Karuna " aar sethalum nammadai pillaigal thane ?" (Whoever dies they are all our children no?) Karuna also knew that at Verugal those who surrendered without fighting had been spared but others who resisted were brutally murdered.

The propaganda barrage for and against Karuna ignores a salient aspect of Karuna's personality and past. Until the split he was truly committed to the LTTE ideology and organisation. He had led the eastern Tigers for a record 17 years and had also fought almost every major battle in the north - east. Karuna built up the LTTE in the east. These young cadres were committed to him. Now was he going to destroy the movement by extending the intra-Tiger conflict? Was he going to sacrifice all those Batticaloa kids who stood by him?

Another problem was his own safety in the future. Even if he managed to escape or hold the Tigers off he would always be a marked man. After bitter fighting the LTTE would always target him and those close to him. The LTTE had offered him an amnesty earlier. He thought of availing himself of it even at this late juncture. If these were the reasons compelling Karuna to seek an end to the fighting the mainstream LTTE too needed peace. The LTTE propagandists may view all things militarily and boast that the great leader would solve all things.

The reality however is different. Removing Karuna from the arena of conflict peacefully was better than using military force. A protracted confrontation with Karuna would lead inevitably to great loss of lives and destruction. The scars of such a fraternal fight would be permanent. Even if the Tigers succeeded in eliminating Karuna after a savage fight, the LTTE would thereafter find it difficult to maintain control of the east in the way it had done so earlier. Moreover, there was every chance that Karuna would have reverted to guerrilla warfare after some positional warfare. This could have created a new set of problems.

Eastern martyr

Also if Karuna was killed then he would have become an eastern martyr. The LTTE may state for propaganda purposes that Karuna was a single individual without mass support. Now that the LTTE has gained ascendancy even those who stood with Karuna may now change their stance. The reality however is that Karuna did enjoy substantial support among sections of the people after the revolt. He continues to have dormant support even now. This is particularly so among eastern Tamil expatriates. Also the bulk of eastern cadres remained with him though a large number of 'officer' level cadres deserted him.

Even after desertions Karuna would still have had about 3500 cadres with him. Of these about 1000 - 1500 could have remained loyal throughout. Around 500 would have died for him. So a long duel with Karuna was not to the LTTE's liking too. There was also the danger of protracted fighting spilling over to government controlled areas in a big way. If that happened the armed forces could have been drawn in gradually. If so the chances were that Karuna would be favoured at ground level.

The LTTE could threaten to break off the ceasefire. If that did really happen then the Tigers would be blamed. It must not be forgotten that despite Norway washing its hands off in Pontius Pilate fashion the truth is that the LTTE is guilty of serious ceasefire violations in transporting cadres to the east and starting the conflict.

Given all these it was in the interest of both Karuna and the LTTE to call off the fighting and go in for a 'silent' truce. The LTTE had always hinted that it could allow Karuna to leave the east if he ended the revolt. Even the statement released on April 10 after the Good Friday fighting indicated this by saying that efforts are underway to expel Karuna from Tamil Eelam soil. So the Tigers adopted an undeclared suspension of hostilities on April 10 that was reciprocated by Karuna. After intense negotiations undertaken basically through telephone, an arrangement of sorts was arrived at. Verbal assurances were given. Karuna faxed a letter outlining assurances.

While both sides agreed to refrain from publicizing the arrangement for respective reasons of their own, the actual implementation began in the early hours of Sunday morning. Karuna instructed his deputies to disband the cadres, decommission arms and send them to their homes in civilian clothing without their Tiger identity cards, uniforms and cyanide capsules. In certain camps the discarded uniforms were discarded and burnt in a bonfire. More than 3500 cadres were sent away from camps. LTTE mainstream cadres began moving into vacated areas.

A positive feature of the current situation is that the LTTE mainstream cadres moving into Batticaloa and Amparai have not punished anyone so far. Some senior cadres like women's political wing chief Thenukha have been reinducted into the movement again. As for other cadres, those willing to join the LTTE again will be screened and reabsorbed if found suitable. Since eastern LTTE leaders familiar with the cadres are holding the reins the transition seems smooth.

Problems yet to begin

The problems could begin when Pottu Amman's men move in to identify the involvement of people in the revolt. The Tigers have announced that ex-cadres of Karuna should register themselves at the nearest LTTE office within 48 hours. This may be a procedure to weed out the staunch pro-Karuna elements and re-induct others. If so the fate of those hard core Karuna loyalists becomes a question mark.

It is to be hoped that human rights activists would raise their voices in protest at least now and prevent a terrible internal purge. One aspect of the LTTE - Karuna agreement is that while Karuna is barred from speaking to the media the

Tigers are not. We find therefore the Tiger media organs blacking out details of the agreement reached and projecting vicious accusations against Karuna. There could be many stories of intensive searches for him. After all history is written by the victors.

The LTTE is industriously accusing Karuna of many things including making deals with Sri Lankan intelligence and defence authorities. There may be some truth in that despite hollow denials by Defence Secretary, Cyril Herath who learnt intelligence methods in Israel. The Defence Ministry has issued a formal denial.

Army chief Balagalle at least has been candid in interviews to the Indian media accepting that he was in contact with Karuna. Also his hand has been fully exposed in the matter of trying to control the movements of Eastern Tamil National Alliance MPs who were allegedly in Karuna's camp last week. Now all of them will swear that they were Pirapaharan loyalists all along. If the LTTE does find proof and establish that Karuna is hand in glove with Sri Lankan intelligence or military intelligence, then the agreement it has entered into will no longer be valid. Karuna will be a 'legitimate' victim from a Tiger perspective. Already the alleged killing of Lt. Col Neelan Sinnathamby by Karuna on April 12 is viewed as a violation of agreement principles by Karuna.

Blow to macho image

He was required to release all Tiger operatives in custody. The LTTE with its macho image will not like to publicise the fact that they entered into an agreement with Karuna and let him go away. The Tigers who claim that they like elephants never forget a fault will target Karuna at some point of time. Karuna' s offences in LTTE eyes are unforgivable. Karuna knows it too. Sadly the militaristic LTTE does not realise that revealing details of an agreement with Karuna to avoid bloodshed and suffering will only enhance the LTTE reputation as being humanistic.

The Tigers fear that any act of compromise or mercy is infra-dig for them. So the LTTE is likely to deny all suggestions of an agreement and instead keep up the faade of a deadly manhunt for Karuna being on. Karuna too may have had an ulterior motive in suing for peace. He may have realised that there is no 'opening' for him in a peaceful situation. The idea may be to bide his time quietly and then surface if and when the ceasefire breaks and war erupts.

Whatever the possible crafty motives of Karuna or on the part of the LTTE there is no denying that this unpublicised agreement has benefited the people of Batticaloa. The reaction in the east to Karuna giving up so quickly is two-fold. On the one hand there is resentment that he abandoned his cadres and caved in to the LTTE after raising the banner of revolt so fiercely. And there is relief that he called it quits because the region and people have been spared bloodshed.

What is of singular satisfaction to the eastern Tamils is that a major fratricidal fight has been avoided. Thousands of cadres are going back home instead of being cannon fodder. Conscripted minors are being released. The LTTE too is being tolerant and accommodative at least for the present. With the LTTE ruling the roost again the name 'Karuna' would become a dirty word not to be spoken in public with approval. Karuna' s revolt however will not be forgotten. It will linger in eastern memories for a long time.❐

Constitutional reforms: Hasten slowly

Sathya

A statement from the Presidential Secretariat last week announced that the first step had been taken towards the implementation of the pledge made by the United People's Freedom Alliance (UPFA) in its election manifesto to carry out a programme on constitutional reforms.

The first step referred to a meeting that President Chandrika Kumaratunga had with a team of advisors and legal consultants which was expected to be followed by a meeting with newly elected political leaders and representatives of the constituent parties of the UPFA.

The statement further recalled that the manifesto sought the peoples mandate to formulate and promulgate a new Constitution since the 1978 Constitution had caused problems for effective governance and the "inherent" difficulty of securing the stipulated majorities in Parliament to bring about constitutional reforms.

Hence a mandate was sought to overcome this "inherent" obstacle by convening a Constituent Assembly comprising the newly elected members of the 13th Parliament.

The statement also claimed a mandate at the General Elections as expressed in 106 of the 160 electorates and 14 of the islands 22 electoral districts.

The draft of the new constitution to be formulated by the Constituent assembly would be placed before the people's consent by way of a referendum thereby bowing to the will and the sovereignty of the People.

It is therefore clear that the newly elected UPFA has embarked on the tortuous process of constitution-making and constitutional reforms. That the present 1978 Constitution is severely, if not "inherently", flawed and authoritarian in nature is now widely accepted.

So what are the elements that need to be introduced and how, is the challenge that faces the newly elected UPFA.

A greater challenge, however, is how to harness support from the political formations present in a hung-parliament as well as mobilize public legitimacy and acceptance. Both these are essential prerequisites to sustain and lead the constitutional reforms process to a successful conclusion in repealing or replacing the 1978 Constitution. This then is the theme of Sathya's column this week.

It is abundantly clear that the UNF suffered a comprehensive defeat at the recently concluded General Election, although it is not that clear whether the UPFA enjoyed a comprehensive victory as in the case of the sweep enjoyed by the SLFP-led coalition in 1972 or the UNP romping to a victory with a 5/6ths majority in the 1977 General Election.

However, it must be recognized that

if the votes obtained are translated into the first-past-the-post equation, the UPFA would have indeed scored a comprehensive victory.

However, the present Proportional Representation (PR) electoral system, which is the prevailing ground political reality, has denied the UPFA that sweeping victory in terms of seats in parliament.

Further, it may be argued that the diverse ideological orientation and political priorities of the key constituent members of the UPFA, the SLFP and the JVP, makes it difficult for them to claim a mandate collectively.

In fact media reports indicate that the JVP has claimed a mandate for itself, while the SLFP leadership is becoming increasingly concerned about losing its electoral base to the JVP.

The fundamental difference relating to devolution of power or administrative decentralization as the basis for a political solution to the Ethnic Question is also a case in point.

On the other hand, it is conceivable that the UPFA would only introduce into the constitutional reforms process those elements on which there is agreement between the SLFP and the JVP.

These are the abolition of the Executive Presidency and the reform of the electoral system.

All indications are that the main focus of constitutional reforms by the UPFA would be unilinear or bilinear and not a comprehensive one. Let us look at the implications of this unfolding scenario. As regards the Executive Presidential system, it clearly has to go.

The office of the Executive President is so-powerful and authoritarian, that anyone occupying that office will necessarily conduct himself/herself as a despot, just to do justice to that office!

However, it is often argued that the minority parties prefer an Executive President elected directly by the people, since the Presidential candidate would have to rely on minority votes in a closely contested battle.

But, this argument is untenable, since there is no guarantee that the elected Executive President would continue to be responsive to minority aspirations and grievances, in between elections.

What could undermine the legitimacy of the constitutional reforms project is the perception that the UPFA is seeking to abolish the office of the Executive Presidency in view of the existing constitutional provision that prevents President Chandrika Kumaratunga from contesting for the third term.

The fact that the SLFP-led People's Alliance Government did not initiate a constitutional reforms process aimed at the abolition or the reform of the executive presidential system when it was elected into power in 1994 gives credence to this growing perception.

On the other it is conceivable that the UNP would obstruct the steps being taken to abolish the executive presidential system, for reasons of political expediency and power equation, so as to enable Ranil Wickremesinghe to occupy the office that was so craftily created by his uncle, J.R.Jayawardene.

Be that as it may, the debate is bound to veer away from the issue of whether the office of the Executive Presidency should be abolished or reformed and traverse into narrow partisan politics and personality conflicts.

This does not augur well for the proposed Constituent Assembly as well as public legitimacy. As regards reforms to the electoral system, the PR system clearly stands in the way of political stability as well as the denial of majority aspirations. By majority, Sathya is referring to the numerical majority.

On the other hand, it is undeniable that the PR system introduced balance of power into the Sri Lankan polity and created space for minority parties and other small political entities to make their presence in parliament, as well as to make their presence felt when it came to the formation of coalition governments.

Any reform of the electoral system, therefore, needs to ensure that while the majority will is reflected in parliament, it does not lead to a tyranny of the majority. Hence, the need to combine the first-past-the-post system and the PR system, akin to the German model or its variants.

This is an area which does not involve too much difficulty and should lend itself to a broad-based consensus. Likewise, issue pertaining to Good Governance and related Independent Commissions are amenable to a broad consensus and should not pose too much difficulties in having them introduced or re-introduced into the proposed new Constitution.

The same applies to Fundamental and Human Rights.

The sticky issue as Sathya pointed out earlier is the differences in emphasis, if not actual fundamental differences, between the SLFP/People's Alliance and the JVP on devolution of power and power-sharing, and on issues relating to the nature of relations between the proposed Constituent Assembly and the peace process. In all likelihood the UPFA is bound to leave devolution out of the process envisaged in the next few months and to incorporate devolution at a latter stage.

However, it is imperative that some indication be brought into the Constitution as regards the contours of a final political and constitutional settlement, in addition to giving constitutional status and validity to any interim administration that may be established for the North-East.

On this issue, the LTTE and its proxies, the Tamil National Alliance which commands a sizeable number of seats in parliament, are bound to take a conveniently ambivalent position. On the one hand, LTTE clearly favours extra-constitutional or even contra-constitutional processes of setting up its proposed Interim Self-Governing Authority (ISGA) for the North-East.

On the other, its proxies, the Tamil National Alliance will be instructed to cry foul if the issue of devolution is kept out of the agenda of the proposed Constituent Assembly. In sum, it will be a case of the LTTE seeking to de-legitimize the Constituent Assembly while pushing for an extra-constitutional ISGA.

In view of the problematic picture sketched above, one may have to seriously consider the prospects of shaping an Interim Constitution to push through urgent reforms of the electoral system, the abolition or the reform of the Executive Presidency, the setting-up of Independent Commissions in order to de-politicize the public sector and the establishment of an interim administration for the North-East with pride of place to the LTTE, but not exclusively so.

(continued on next page)

Why despair over the peace process?

Ajith Samaranayake

One explanation for the victory of the United People's Freedom Alliance (UPFA) (and one not without loaded political meaning either) is that it has almost polarised the electorate on ethnic lines in the sense that while the UPFA has swept the South the UNP received its majorities in districts with a sizeable minority community vote. This has even led to a sense of despair best voiced by the authoritative Tamil columnist Taraki who has asked 'Would any pragmatic Sinhala politician risk making peace with the Tigers in future after witnessing what befell Ranil and his government? Therefore wither the peace process?'

But was the verdict of the electorate against the peace process or the particularities of the peace process? It would appear that it is not the process which has been rejected but the way in which it was conducted and handled. As far as the people were concerned there was an absence of conflict but no real or tangible peace. After two years of negotiations with the LTTE (which were anyway stalled) the UNP had not been able to consolidate or solidify the peace process in any meaningful way.

Is it possible to believe that the southern electorate is inherently against peace ? After all President Kumaratunga did win a second term and her party the subsequent General Election after having initiated negotiations with the LTTE and having presented a Constitution which for the first time proposed wide-ranging powers to the North and the East, the now almost forgotten Union of Regions. What is more at the 2001 General Election the People's Alliance carried out a virulent campaign suggesting that there was a secret agreement between the UNP and the LTTE but the UNP and its allies were able to win quite comfortably.

Peace process

In power however the UNP conducted a peace process which shuttling between esoteric international venues and receiving the pontifical blessings of foreign luminaries had no bearing on the more mundane realities of life as lived by the average Sri Lankan. Even supporters of that process such as Sunanda Deshapriya were constrained to point out repeatedly that the UNP was unable to build up a peace constituency the way the PA could with its much sneered at Sudu Nelum movement. True there were no check points and the new parvenu middle classes were able to go to the North and to Trincomalee where they littered the beaches but once this initial flush waned there was nothing tangible left except the mantra of a peace which presumably resided in some ethereal realm.

There was also the suspicions surrounding the Memorandum of Understanding signed by Prime Minister Wickremesinghe and the LTTE supremo Prabhakaran to which the President was not privy. It smacked too much of an imperious gesture by a cabal of foreign powers to thrust an agreement from on high on a hapless people. The Prime Minister and other UNP spokesmen put a brave face on it claiming that it made for an international safety net for Sri Lanka but there was a growing sense that the national self-esteem had been wounded. Paradoxically enough it was also viewed with growing suspicion by the LTTE itself which as Taraki has pointed out was beginning to feel that Wickremesinghe was trying to tilt the balance of forces in favour of the Sri Lanka military by defence agreements with the USA and India.

Anti-UNP caucus

This was why it was easy for the anti-UNP caucus to attack the party as being anti-national and UNP leaders did not help matters either by appearing in public in lounge suits as if such a costume was necessary to cement their ties with their beloved international community. Past UNP leaders, for example Mr. Dudley Senanayake, had worn coat and tie but he was also able spontaneously to slip into a bush shirt and mingle with the people. Mr. Wickremesinghe himself when he made his debut in the 1977 Parliament had preferred the standard tunic suit of the politician but as Prime Minister he had made a lounge suit de rigeur as official wear and most of his Ministers had followed him.

It was this suspicion of a peace process imposed by a combination of foreign powers and defended by unlikely politicians in business suits which made the southern electorate vote

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Issues relating to a final power sharing arrangement at the centre and the periphery as a means of addressing the Ethnic Question may be brought in at a latter stage, based on progress at the peace talks with the LTTE.

The talks itself will have to be made inclusive and the proposed Constituent Assembly or an All Party Conference may continue to deliberate, even after the establishment of an Interim Constitution, on the issues arising out of the talks with the LTTE, thereby bringing about a link between the interim and the final.

This would also ensure a linkage between official negotiations between the Government of Sri Lanka and the LTTE and a broader, more inclusive process that would accommodate all other legitimate stakeholders.

Another parallel process may have to be initiated to accommodate the concerns and proposals of civil society. In sum, there are no short-cuts or quick-fixes when it comes to giving constitutional shape and form to the collective as well as shared vision and destiny of a People.

The sovereignty of a People cannot be bartered away for the sake of political expediency. Similarly, the project of constitutional reforms cannot be postponed indefinitely, for the same reasons cited above.Hasten slowly, may sound paradoxical. But, it is not. It is ancient wisdom.

(continued from page 28)

for the UPFA rather than any inherent dislike of peace. The people of the South have repeatedly demonstrated that they are not against a reasonable solution to the Tamil National Question but it is the politicians who have failed to handle the process properly and persuade them that such a solution is possible.

But this does not mean that the peace process of the new Government will not have to face any obstacles of its own. There may be a certain degree of anti-LTTE feeling and xenophobia generated as the result of the way in which the peace process was earlier handled and these feelings will first have to be dissipated before the new process can get on track. But given imagination on the part of the new Government and its leaders this is by no means impossible particularly since it is a Government which has won the confidence of the southern electorate because of its nationalist credentials. The challenge before the Government is how these nationalist credentials can be reconciled with its commitment to a larger Sri Lankan nation.

Southern opinion

While it is difficult at this stage to say what direction any future negotiations might take it is clear that some preliminary clearing of the ground will have to take place. As far as southern opinion is concerned the new Government will have to spearhead something of an ideological and cultural campaign to prepare the electorate for the new peace process aimed at dispelling some of the suspicion which the previous peace process had engendered. On the part of the LTTE too a degree of flexibility will be called for of the kind demonstrated for example by Anton Balasingham at Sattahip in Thailand when he said that the LTTE was ready to go beyond old categories of thought vis-a-vis concepts such as separatism and federalism. Such a process of mutual preparation will be necessary rather than plunging directly into the choppy waters of discussion of the Interim Self-Governing Authority (ISGA) proposed by the LTTE.

It will certainly be dispiriting to the Tamil people that every time a new Government comes to power in Colombo negotiations have to start afresh but the sunny side is that for perhaps the first time since 1977 in the present Parliament we find a legislature in which all the active political parties are represented including the new formation of the JHU composed entirely of the Maha Sangha. This should be a crucial factor in the resolution of the Tamil National Question for the ostensible reason which President Jayewardene gave for not calling a Roundtable Conference on the question (as promised in the UNP election manifesto in 1977) was that Parliament had not been adequately representative.

With the JVP forming an important part of the Government and the Parliament reflecting the entire political spectrum one would think that the prospects for a reasoned consideration and the ultimate resolution of the National Question are brighter than ever before. This is what makes one feel that Taraki's conclusion (in the article mentioned already) that the 'political will of the Sri Lankan state to take the peace talks forward has been drastically eroded by the resounding success of the JVP and the JHU' appears misplaced and makes one hope for a happier outcome to our sad national drama.

Sunday Observer, 18 April 2004

'India bashing' back in vogue

P K Balachandran

April 12 – "India bashing" is back at the centre stage of Sri Lankan politics. Pro-opposition and pro-LTTE media are blaming India for the misfortunes of the defeated United National Party (UNP) and the troubles within the LTTE. But the post-election political mainstream, represented by the Sri Lanka Freedom Party (SLFP) and the Janatha Vimukthi Peramuna (JVP), are for an active and direct Indian involvement.

Supporting the ruling SLFP and JVP are some sections of the opposition like the Jathika Hela Urumaya (JHU), a party of Buddhist monks, the Ceylon Workers' Congress (CWC), the Sri Lanka Muslim Congress (SLMC)and the Eelam Peoples' Democratic Party (EPDP).

The pro-UNP media's list of woes is long. It begins with the forging of an alliance between President Chandrika Kumaratunga's SLFP and the JVP to form the formidable United Peoples' Freedom Alliance (UPFA); then there was the dismissal of the UNF government and the ordering of a mid term poll by the President; this was followed by the defeat of the UNF in the April 2 elections leading to the formation of an UPFA government; and finally, the appointment of Mahinda Rajapaksa as the Prime Minister.

The pro-LTTE Tamils share many of the grievances of the supporters of UNP.But their latest allegation is that India was behind the recent split in the LTTE, when the Eastern Commander Col.Karuna broke off from the mainstream led by Velupillai Prabhakaran. Thus there has been alarm about direct Indian role. Both the pro-LTTE Tamil media and the pro-UNP press are viewing Prime Minister Mahinda Rajapakse's call for a "direct" Indian role in the Sri Lankan peace process with alarm.

In the eyes of the partisan media, Indian High Commissioner Nirupam Sen's statement that "India has some ideas" on what it can do for the peace process, was viewed as a dangerous sign for the country. But the hint was towards India participating in rehabilitation and reconstruction work in the war-ravaged Tamil North East. And he was only saying what the previous UNF government had said many a times. And in its term the UNF government was actually clamouring for a direct Indian involvement. But at that time the pro-UNP press was not critical of it. Now that their party is out of power, the pro-UNP media have begun portraying India as a regional bully. An effort is being made to revive the old Sinhala fear of India's wanting to subjugate and dismember Sri Lanka. The Tamil press, on the other hand, is trying to rekindle the Tamils' fear that India will aid the Sinhala majority to crush their movement for independence.

According to an article in the pro-UNP "Sunday Leader" (April 11), India had a vested interest in helping President Kumaratunga forge an alliance with the JVP. It alleges that India prevailed upon the UNF leader Ranil Wickremesinghe not to go ahead with an impeachment motion against the President, only to give the latter enough time to form an alliance with the JVP, dissolve parliament and order fresh elections.

Wickremesinghe had proved to be "gullible" when India pressed him not to give up efforts to cohabit with the President, the paper said. On High Commissioner Sen's remark, the article said: "If that failed to send a chill down the spine of every patriotic citizen, red blood does not flow in the veins of the citizenry."

The article then went on to blame India for militarising the Sri Lankan ethnic conflict in the 1980s, forcing the merger of the Northern and Eastern provinces to form a single Tamil province and "invading" the island with the "Indian Peace Keeping Force" with an intention to "totally subjugate" and "annex" Sri Lanka. Indian intervention had led to the rise of the JVP, it further said.

In the late 1980s, the JVP was an ultra-nationalistic, radical Marxist party which perpetrated a lot of violence against the ruling class and its agents and was also virulently anti-India. Though the JVP has since given up violence, it is still the bugbear of Sri Lanka's ruling class.

The pro-LTTE Tamil daily "Thinakural" said on Sunday that "direct" Indian involvement in the peace process meant that India would help sideline the Norwegians and the Japanese from the facilitatory role in it. It noted that India was "totally" against Japan's involvement. The pro-LTTE Tamils want the Norwegians to facilitate and are against any dilution of their role. But the UPFA government wants to delimit and strictly define the role of Norway, and other foreign powers like the European Union and Japan. India is basically against giving any foreign party a major role.

An article in the Tamil daily "Virakesari" said that India's main aim in supporting the UPFA government was to use the latter to "finish" the LTTE and get its leader Velupillai Prabhakaran arrested. The writer said that India, was being "anti-democratic" in ignoring the latest electoral verdict in the North East which was resoundingly in favour of the LTTE being the "sole representative" of the Tamils.

The writer accused India of putting pressure on the CWC and Indian Origin Tamil leader,Arumugan Thondaman (with 8 MPs), to lend support to the UPFA government to enable it to get a majority in parliament. The UPFA had won the elections but was still eight seats short of a majority.

(Hindustan Times)

Murali's doosra is ruled illegal

Call for rules to be relaxed after ruling

David Hopps

The doosra, Muttiah Muralitharan's controversial mystery ball, has been found to be illegal but, far from making him an outcast, the conclusion has sparked an immediate campaign for the rules on throwing to be relaxed.

Scientific studies have proved that Murali straightens his arm while bowling his doosra - the ball that spins away from the right-handed batsman - by about 10 degrees, double the legal limit for slow bowlers that has been imposed throughout international cricket.

The findings will bring an immediate demand from Murali's detractors that the Sri Lankan off-spinner, who needs only seven wickets to break Courtney Walsh's world record of 519 Test victims, should be barred from bowling the delivery that destroyed England in the pre-Christmas Test series.

But Bruce Elliott, the biomechanist from the University of Western Australia who supervised the tests, has called for Murali to be given licence to bowl freely until further detailed checks are carried out on the mechanics of spin bowling.

Sri Lanka Cricket has refused officially to confirm the Murali report but behind the scenes its bowling review group is assembling evidence to support the claim that Murali, the nation's No1 icon, is being unfairly singled out. They have even reported Chris Broad, the match referee who cited Murali last month, to the International Cricket Council for implied bias.

Broad's sin was to be seen socialising with the Australians during the recent Test series, an activity that generally includes a considerable level of arm bending. At issue are the emergency limits arbitrarily imposed by the ICC last year after technology had exposed the disturbing fact that straight-arm bowling, as required in the Laws, was a myth, and that 99% of bowlers bent their elbows in their delivery, some up to a staggering 20 degrees.

The ICC imposed three differing levels of tolerance: fast bowlers were permitted to straighten by 10 degrees, medium pacers by seven and a half degrees and spinners by five degrees. Quite why Shoaib Akhtar, at 90mph, should be allowed twice as much arm bend as Murali, at half the pace, has never really been explained.

The ICC also accepted that there was a need for further research, particularly into the biomechanics of spin bowling. This research has not been completed, leaving any action against Murali harder to justify.

Murali is due to reappear against Zimbabwe this week but would be best advised to keep the doosra on ice; Zimbabwe are a side so destroyed by racist agendas that he could dismiss most of them bowling underarm.

When Sri Lankan officials release the Murali report to the ICC, they will argue that the permitted "levels of tolerance" for spin bowlers should be urgently reviewed. They will contend that the strict enforcement of the five-degree limit would lead to a wave of bans.

Nobody has any proof of whether this is true. The rival spin bowlers who have persistently been scathing about Murali's action - Robert Croft, the former England off-spinner, is among them - should offer themselves for analysis and see what the studies find.

The need for the ICC to embark upon widespread testing has become irresistible. Broad's action in reporting Murali has been proved to be well-founded and the attack on his integrity is a witch-hunt by resentful officials.

Sri Lanka Cricket's president Mohan De Silva has confirmed a complaint to the ICC that Broad socialised at an Australian party during the recent series. According to Sri Lanka's Sunday Observer, the Sri Lankans have deemed this "a gross misconduct in breach of ICC rules".

Australia have long been Murali's most vociferous critics. It was the Australian umpire Darrell Hair who first no-balled him for throwing, only for him to be cleared after biomechanic tests.

Broad, therefore, had reason for social caution. But one of cricket's strengths remains the ability, albeit decreasing, of opposing players and officials to mix during hard-fought series. It would do the game a great disservice if this specious complaint was treated seriously.

Courtesy:The Guardian, April 19, 2004

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About People and Events

OBITUARY

Mrs. Panchasothy Sivasambo, *of Uduvil East, Chunnakam, beloved wife of late Pundit Kanapathipillai Sivasambo (Retired teacher, Skanda Varodaya College); loving mother of Sivasothy, Sivagnanasothy, Sivanandan (UK), Sivayogasothy, late Sivanesasothy, Sivarasasothy and Sivakumaran (UK); mother-in-law of late Vakeel Kandasamy, late Sriskantha, Mahadeva, Srithara, Manoranjini and Ratnawathy; grandmother of Thirumagal, late Balamurugan, Venkadesan, Renganayaki, Mayuran, Jegan, Kumarattheeban, Vinoth and Roshan passed away peacefully in Uduvil, Jaffna on 10th March 2004. The funeral was held in Uduvil.*

The family send their sincere thanks to all relatives and friends, who attended the funeral, sent floral tributes and condolence messages and attended the Poojah in her memory at Highgate Murugan Temple on 18th April 2004.

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Port Colombo employee, with London matriculation, many years at Dock Yard,
"In Pace" glory, Jaffna Veemankamam's "Chola" Loper's-Grand Bard,
"UnoAnimo"of St.Antony's; Rose Villa;Vasa;NagaRajya's new coconuts"Don't Faint"
Super Prefect of St Henry's, devoted son,-inlaw, brother, nephew, husband,
loving father, grandad, a Living Saint.
Composed by: Christine

In treasured memory and sadly missed by his ever-loving wife Christine, children and children-in-law Anton & Mariam, Rajini & Ariyaratnam; Kamini & Rajaratnam, Chrishanthy & Dilip Cyril, Amirthini & Rishya Santiapillai, grandchildren Dharshan, Shaumya, Marita, Janan, Regina, Satheesh, Meliza, Thabiso, Georgina, Lerato and Emma on his 80th birthday and 20th death anniversary.
-Dr Rajini Ariyaratnam, 16 Pennymoor Drive, Altrincham, Cheshire WA14 4UT.

Tenth Death Anniversary

In loving memory of ***Pundit Kanapathipillai Sivasambo*** *on the 10th Anniversary of his passing on 1st April 1994.*

Fondly remembered and sadly missed by all your children, grandchildren, sons-in-law, daughters-in-law and friends.

Appa, You have taken Amma also to be with you in heaven on the tenth anniversary of your leaving us

– K.S.Sivanandan

OBITUARY

KUMARASINGHAM SARATHA, beloved wife of (Peter) Kumarasingham; loving mother of Eason and Uma; daughter of (late) Mr. P.V.-Mahadeva and Kamalam; daughter-in-law of (late) Mr. S.Paramsothy and Sinnammah (Chetty-Kurichy, Jaffna) sister of Rabi (NZ), Raji (Aust), Shantha, Yaso & Prem (all of UK); sister-in-law of Marie (NZ), Anna (Aust), Thiruchelvam, Ramana, Balakumaran, Kumararani, Kumareswary & Yoga (all of UK), Kumarambigai (Chankanai, Jaffna) passed away on 19th March 2004.

The family send their sincere thanks to all friends and relatives who attended the funeral, sent floral tributes and condolence messages

– (Peter) Kumarasin-gham, 1, Bonnington Road, Vinters Park, Maidstone, Kent ME14 5QR, Tel: 01622 755076.

IN MEMORIAMS

PRADEEP JEGANATHAN – Seventh Anniversary

01.12.1964 – 31.03.1997

Life stood still for us that day
Fate rudely took you away
Fond Memories are all that stay
While we pine, grieve and pray.

Lovingly remembered and greatly missed by his parents Jeganathan and Shakunthala; sister Mythili; brothers Janarthana and Sanjayan and their families.

Eighth Anniverary
Mr. Visvalingam Sivasubramaniam

*In loving memory of **Mr. Visvalingam Sivasubramaniam,** Principal Emeritus, Skanda Varodaya College, Chunnakam on the eighth anniversary of his passing away on 26th April 1996.*

Sadly missed and fondly remembered by his beloved wife Sironmany and other members of the family.

– 135 Sudbury Avenue, Wembley, Middx HA0 6AW.

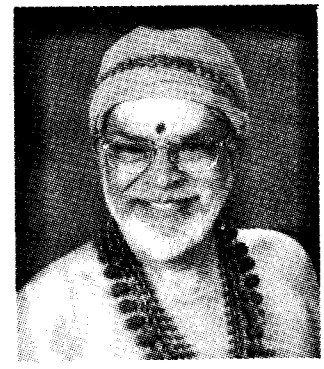
Fifth Anniversary Remembrance
Mrs Thaiyalnayaki Sivalingam

*In loving memory of **Mrs Thaiyalnayaki Sivalingam** on the fifth anniversary of her passing away on 18th April 1999.*

Greatly missed and fondly remembered by her loving children Jeyakumaran, Kaladevy, Gnanendran, Dr. Jeyagowri, Sureshkumar, and Sivasuthan; sons-in-law Ganeshamoorthy and Dr. Kumaran; daughters-in-law Yogendradevi, Vallinayaki, Malathy and Balasuhanthini; sister Sethunayaki Sivasithamparam; grandchildren Havitha, Sinduja, Kalyan, Neruban, Rathulan, Pratheeban, Aparnah, Geevithan, Abisha and Kishore.

– 24 Sixth Cross Road, Twickenham, Middx TW2 5RB. Tel: 020 8977 6277.

First Year Remembrance



நமச்சிவாய வாழ்க நாதன் தாள் வாழ்க
இமைப்பொழுதும் என் நெஞ்சில் நீங்காதான் தாள் வாழ்க

*In loving memory of **Thava Thiru Siva Nandhi Adikalaar** (Krishnapillai Gnanasurian), Founder and President of London Meihandan Aadheenam and World Saiva Council on the first anniversary of attaining moksha on 2nd April 2003.*

We cherish our father's memory and rejoice in his tireless contribution towards Saiva renaissance worldwide. Lovingly remembered by his children Jeyaraj, Jeyahini and Shivajini and their families, relatives, friends and members of the organisations headed by him.

– 72 King Edward Road, London E17 6HZ.

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FORTHCOMINGS EVENTS

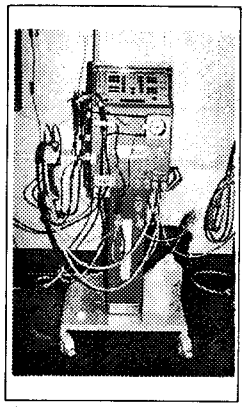
May 1. *Ekaathasi; Feast of St. Joseph*
2. *Pirathosam; Feast of St. Athanasius*
3. *Mayday Bank Holiday*
4. *Chithirai Full Moon*
7. *Sankadakara Chathurthi*
12. *Thirunavukkarasu Nayanar Guru Puja*
13. *Ekaathasi; Feast of St. Mathias*
16. *Pirathosam*
17. *Amavasai; Karthigai*
20. *Feast of St. Bernadine of Siena*
22. *Chathurthi*
23. *Stoneley Rajarajeswary Amman Temple Kodietram*
25. *Sasti*
26. *Feast of St. Augustine of Canterbury*
30. *Ekaathasi*
31. *Spring Bank Holiday; Pirathosam; Feast of the Visitation of Blessed Virgin Mary*

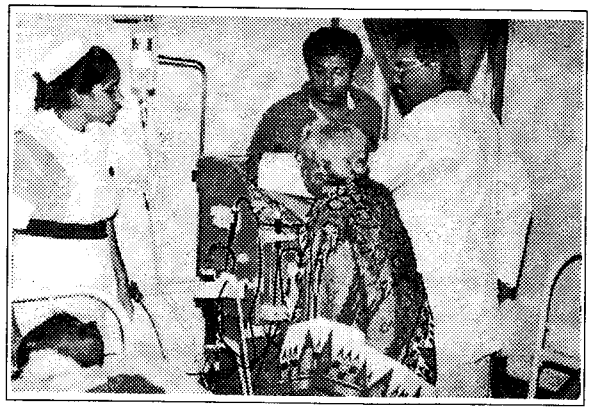
WEDDING BELLS

We congratulate
the following couple
on their recent wedding.

Thayaparan*, son of Mr. & Mrs T. Sivasubramaniam of Hindu College Lane, Urumpiray North, Jaffna and* ***Sivapriya****, daughter of Mr. & Mrs. S. Thillaiampalam of 29/1 Pirapamkulam Lane, Vannarpannai, Jaffna on 27th March 2004 at 'Miami Ruby' Reception Hall, 33 Alexandra Road, Wellawatte, Colombo 6.*

Gifted Haemo Dialysis Machine installed and functioning at Jaffna Hospital





I made an appeal in the December issue of Tamil Times for donations to facilitate the supply and installation of 2 Haemo Dialysis machines at the Jaffna Hospital and am pleased to announce that one of them has been purchased, supplied and installed at the Jaffna Hospital and has started functioning from 19th January 2004.

I thank all those who readily responded with their kind donations. Appeals were sent to the temples in London and only five of them responded. Under this circumstance, I could assist to commission only one machine. Five readers of Tamil Times (three from London and one each from Australia and Malaysia) sent their donations.

The details of the donations are as follows:-

London Sivan Temple	*£ 2000.00*
Stoneleigh Raja Rajeswary Amman Temple	*£ 1000.00*
Sivaskanthagiri Murugan Temple	*£ 600.00*
Highgate Murugan Temple	*£ 1500.00*
Ealing Kanaga Thurkkaai Amman Temple	*£ 2000.00*
Appeal via Tamil Times	*£ 550.00*
Mr. V.Sivasundram (to find the balance)	*£ 2539.40*
Total	*£ 10189.40*
Cost of Haemodialysis Machine SLRs 1.7 m	*£ 10189.40*

I have now closed the bank account specially opened for this purpose and leave the second machine project to any other well wisher.

V.Sivasundram, Western Jewellers, 5 Plaza Parade, 29-33 Ealing Road, Wembley, Middx HA0 4YA. Tel: 020 8903 0909.

Australian Newsletter

Annual Thiyagarajah festival organised by the Academy of Indian Music, Australia is indeed an indulgence for classical music lovers in Melbourne. It was a full day event during which pancharathana keerthanai was rendered in a grandiose fashion. It is customary that a carnatic artist of fame graces the occasion and this time around, it was none other than the great flute maestro Dr N Ramani. Dr Ramani rendered an exclusive concert in the evening and was accompanied by his son Thiru R Thiagarajan on flute, Thiru Ravichandra on Miruthangam and Thiru AGA Gnanasundaram on violin.

Apparently there are 100,000 unborn babies terminated in continental Australia each year according to a Federal Minister. The Minister while speaking to tertiary students in Adelaide went on to add that abortion was a grave matter that had been "reduced to a question of the mother's convenience", and criticised society for not discouraging teenage promiscuity. It is no secret that many in the community also consider that numbers are far too many. Currently Labour governs all state and territories while Liberal-National Coalition led by John Howard is at the helm in Canberra. Prime Minister Howard's popularity has been in ascendance ever since he took over from Labour's Paul Keating. Howard vehemently supported the existing monarchical system even when Republicanism was at its peak. Interestingly, Republicanism was summarily rejected in a referendum. It is now widely speculated that federal elections may be held during the second half of this year several months ahead of schedule. In his 60s, Howard is bubbling with energy and determined to lead the Liberal-National Coalition at the next elections. Opposition Labour under the leadership of Mark Latham is equally resolute to win government at the next election. Opinion polls indicate a shift towards Labour, both on One Party Preferred System as well on leader's Popularity.

Denuja Karunakaran, a disciple of Thirumathi. Rathika Mahadeva had her Bharathanatya Arangetram in Melbourne. The ten-day annual festivals of Siva-Vishnu temple in Melbourne and Murugan temple in Sydney were celebrated with very large attendance of devotees.

Sivasupramaniam Sitsabesan, Melbourne.

Rajagopura Maha Kumbhabishekam of Sri Venkateswara Temple, Sydney.

The consecration of the Rajagopurams for Sri Venkateswara, Sri Siva and Sri Thiripurasundari and the two Divajathambams for the Sri Vekateswara and

the Sri Siva Temples respectively was celebrated on a grand scale on February 1st 2004. The Rajagopuram of the Sri Venka-teswara Temple rises to a height of 21.3 metres and that of the Sri Siva Temple rises to a height of almost 70 metres. A total of 113 statues adorn the Sri Venka-teswara Temple Rajagopuram and a total of 181 statues adorn the Sri Siva Temple Rajagopuram.

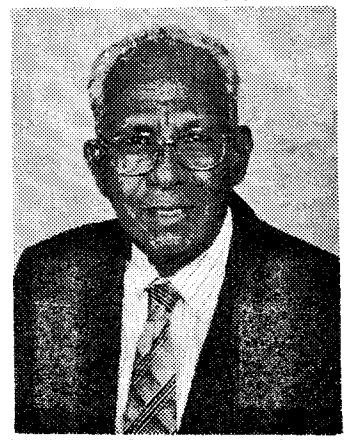
The Yaga Salai pooja started on Thursday, January 29th and continued until Sunday, February 1st. Twelve priests conducted the ceremonies. Two new deities – Sri Bairavar and Sri Idumban, were also installed and consecrated. The Maha Kumbhabishekam ceremony was conducted early in the morning on February 1st, yet over 6000 devotees were present at the auspicious time to watch the pouring of the sacred waters on the towers.

Many dignitaries were present including Mr. M. Ganapathi, the Consul-General for India in Sydney. After the function, he wrote " The function was solemn, dignified and befitting the divinity and religiosity of the occasion". He went on to say " The Temple is naturally impressive, being the largest Hindu temple towards the East and South of India". The international press such as PTI, the Madras Hindu and other newspapers in India, Sri Lanka, Malaysia and Singapore covered the function. The Executive Committee of the Temple Association received congratulatory messages from many Hindus and Hindu Organisations from different parts of the world.

Dedicated devotees gave 'Annathanam' over the period of three days. There was also a 'Thanneer Pandal' on February 1st. Nathaswaram musicians who came from Colombo along with local musicians provided befitting divine music. Kalyana Utsavams in the Sri Venkateswara and Sri Siva temples marked the end of the celebrations. At the end of that historic day, the President of the Temple Association, Dr. A. Balasubramaniam and his committee honoured the priests, musicians, temple artisans and volunteers for their invaluable services. The Chief Priest Sri Sridhar then honoured the President and members of the committee.

Devi Balasubramaniam, Sydney.

Sri Lankan Canadian Honoured



At the Annual Convention of Scar-borough South West Riding Liberal Party, held on 18th March 2004, Mr. E. Sangarapillai Godson was unanimously elected to serve on the Board of Directors.

Tamil TIMES

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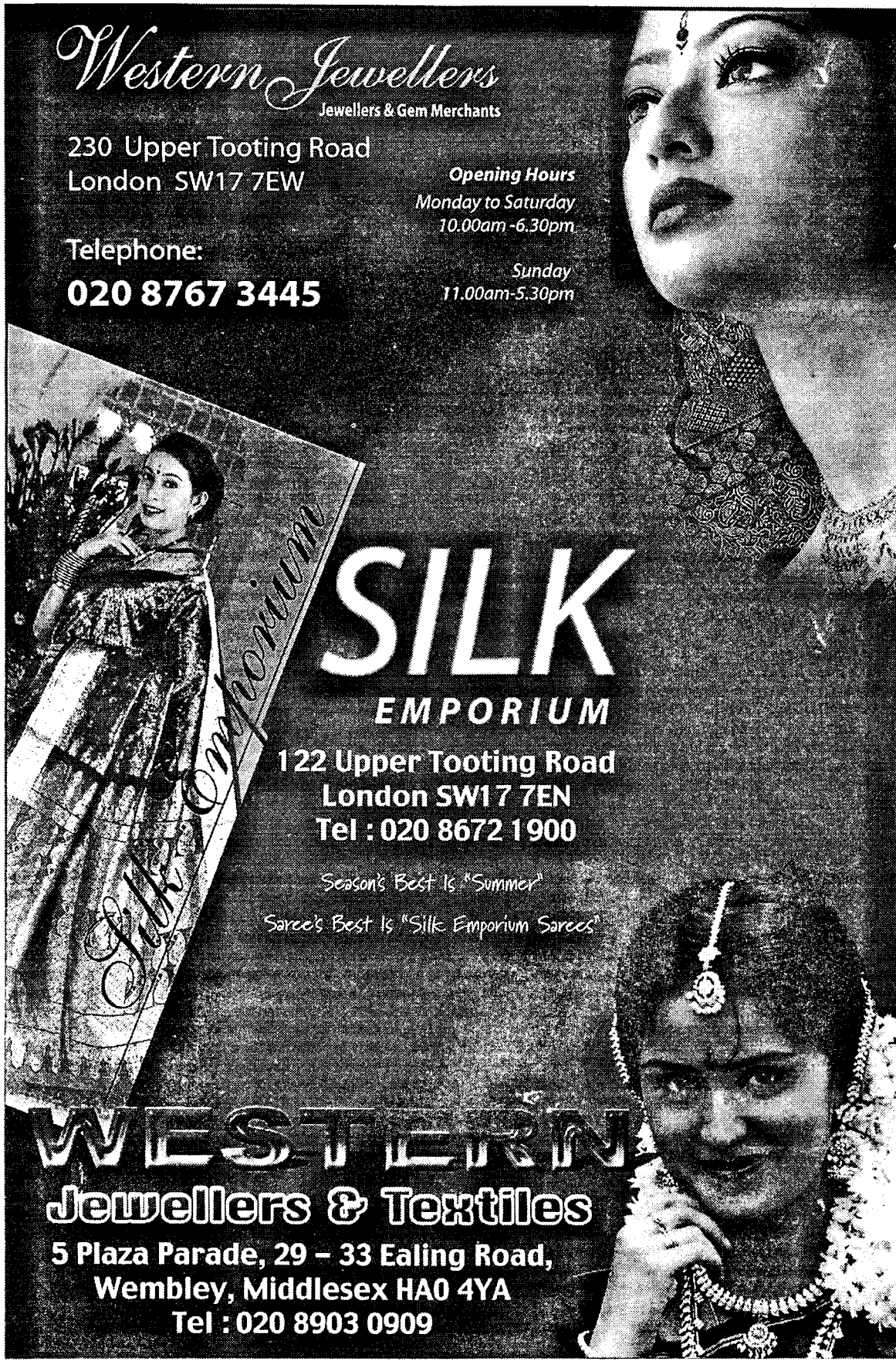
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